101ST CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
101-909

MAKING APPROPRIATIONS FOR THE DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1991, AND FOR OTHER PURPOSES

OCTOBER 20, 1990.—Ordered to be printed

Mr. SMITH of Iowa, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 5021]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5021) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies for the fiscal year ending September 30, 1991, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 36, 37, 89, 137, 158, 163, and 166.

That the House recede from its disagreement to the amendments of the Senate numbered 13, 22, 25, 29, 38, 40, 58, 72, 86, 88, 98, 115, 116, 129, 136, 145, 149, 150, 151, 152, 153, 154, and 157, and agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$14,400,000*; and the Senate agree to the same.

Amendment numbered 68:

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$75,300,000*; and the Senate agree to the same.

Amendment numbered 69:

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment, as follows:

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In lieu of the sum proposed by said amendment insert: *$3,500,000*; and the Senate agree to the same.

Amendment numbered 97:

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$4,500,000*; and the Senate agree to the same.

Amendment numbered 122:

That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$75,000*; and the Senate agree to the same.

Amendment numbered 124:

That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$197,750,000*; and the Senate agree to the same.

Amendment numbered 127:

That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$7,075,000*; and the Senate agree to the same.

Amendment numbered 130:

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: *$198,300,000*; and the Senate agree to the same.

Amendment numbered 141:

That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$55,750,000*; and the Senate agree to the same.

Amendment numbered 146:

That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$652,757,000*; and the Senate agree to the same.

Amendment numbered 147:

That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$4,023,000*; and the Senate agree the same.

The committee of conference report in disagreement amendments numbered 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 27, 28, 30, 31, 32, 33, 34, 35, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 49A, 50, 51, 52, 53, 54, 55, 56, 57, 59, 60, 61, 62, 63, 64,

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NEAL SMITH,
BILL ALEXANDER,
JOSEPH D. EARLY,
BERNARD J. DWYER,
BOB CARR,
ALAN MOLLOHAN,
JAMIE L. WHITTEN,
HAL ROGERS,
RALPH REGULA,
JIM KOLBE,
SILVIO O. CONTE,
Managers on the Part of the House.

ERNEST F. HOLLINGS,
DANIEL K. INOUYE,
DALE BUMPERS,
FRANK R. LAUTENBERG,
JIM SASSER,
BROCK ADAMS,
ROBERT C. BYRD,
WARREN B. RUDMAN,
TED STEVENS,
MARK O. HATFIELD,
ROBERT KASTEN,
PHIL GRAMM,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5021) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies for the fiscal year ending September 30, 1991, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action by the managers and recommended in the accompanying conference report:

TITLE I—DEPARTMENT OF COMMERCE

General Administration

SALARIES AND EXPENSES

Amendment No. 1: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment insert the following: *including not to exceed $2,000 for official entertainment, $29,595,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $29,595,000 instead of $29,854,000 as proposed by the House and $29,337,000 as proposed by the Senate. The conference agreement also includes a limitation of $2,000 for official entertainment as proposed by the Senate.

Office of the Inspector General

Amendment No. 2: Appropriates $14,400,000 instead of $14,600,000 as proposed by the House and $14,208,000 as proposed by the Senate. The conference agreement includes $200,000 of the requested program increase for the Office of Inspections and Resource Management.

Bureau of the Census

SALARIES AND EXPENSES

Amendment No. 3: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$110,250,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The following table reflects the conference agreement for the various items funded in this account, with appropriate comparisons.

FISCAL YEAR 1991 CONFERENCE—BUREAU OF THE CENSUS—SALARIES AND EXPENSES

[Dollars in thousands]

	Request	House	Senate	Conference
Business Statistics, Base	$14,820	$14,820	$14,820	$14,820
Advanced Retail and Sales	1,069	969	969	700
Corporate Financial Data	450			
Detail on Service Industry	1,050	782	782	500
Purchase of Services	523		523	400
Small Company Financial Data	418		268	200
Growth Industry SIC Codes	400			
Construction Statistics	8,170	8,170	8,170	8,170
Manufacturing Statistics, Base	11,237	11,237	11,237	11,237
Manufacturers, Shipments, Inventories and Orders	900	900	900	564
Business Investments Survey	2,000	2,000	2,000	1,300
Reduce Current Industrial Reports	(450)	(450)	(450)	(450)
Gen. Economic Statistics, Base	11,054	11,054	11,054	11,054
Research/Improve/Revise SIC	375			
National Trade Data Bank	200	200	200	100
Foreign Trade Statistics, Base	17,381	17,381	17,381	17,381
Improve Quality/Response	500	500	500	300
Government Statistics	5,211	5,211	5,211	5,211
Agriculture Statistics, Base	414	414	414	414
End Cotton Gin Statistics	(414)			
Subtotal Economic Statistics	75,308	73,188	73,979	71,901
Demographic Surveys, Base	29,453	29,453	29,453	29,453
Modernize Current Population Survey Processing System	826	826	826	500
Restore SIPP Sample Size	2,000	2,000	2,000	1,000
Demographic reports, Base	3,030	3,030	3,030	3,030
Review Metro. Statistical Area Concepts	250			
International Statistics	733	733	733	733
Housing Statistics	615	615	615	615
Subtotal Demographic Statistic	36,907	36,657	36,657	35,311
Other Programs and Publications	3,137	3,137	3,137	3,137
Data Systems Development	(119)	(119)	(119)	(119)
Subtotal, Other Programs and Publications	3,018	3,018	3,018	3,018
Total	115,233	112,863	113,654	110,250

PERIODIC CENSUSES AND PROGRAMS

Amendment No. 4: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *$272,700,000 to remain available until expended*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $272,700,000 to remain available until expended for Periodic Censuses and Programs. The House had proposed $310,904,000 with no authority to carry over unexpended balances. The Senate had proposed $269,774,000 with authority to carry over unexpended balances. The conference agreement reflects carry over balances of $36,000,000 from fiscal year 1990 due to lower than anticipated costs of the follow up activities required for the 1990 Decennial Census.

Economic and Statistical Analysis

SALARIES AND EXPENSES

Amendment No. 5: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$36,200,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $36,200,000 for Economic and Statistical Analysis Programs instead of $38,456,000 as proposed by the House and $39,948,000 as proposed by the Senate.

The following table reflects the conference agreement for the various items in the account, with appropriate comparisons:

[In thousands of dollars]

	Request	House	Senate	Conference
National economic accounts, base	10,166	10,166	10,166	10,166
Quality of national income and product accounts	1,927	1,127	1,927	1,200
System of national accounts	1,625	1,625	1,625	1,300
International economic accounts, base	7,673	7,673	7,673	7,200
Balance of payments	1,090	398	1,090	700
International investment data	2,353	2,353	2,353	2,100
Regional economic accounts	4,381	4,381	4,381	4,000
Analysis of business trends	5,046	5,046	5,046	4,500
Subtotal, economic analysis	34,261	32,769	34,261	31,166
Policy support	5,687	5,687	5,687	5,034
Total	39,948	38,456	39,948	36,200

Economic Development Administration

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

(INCLUDING RESCISSION)

Amendment No. 6: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *and for economic development assistance as*

provided by the Public Works and Economic Development Act of 1965, as amended, and Public Law 91-304, and such laws that were in effect immediately before September 30, 1982, $209,000,000: Provided, That during fiscal year 1991 total commitments to guarantee loans shall not exceed $150,000,000 of contingent liability for loan principal: Provided further, That none of the funds appropriated or otherwise made available under this heading may be used directly or indirectly for attorneys' or consultants' fees in connection with securing grants and contracts made by the Economic Development Administration: Provided further, That the Economic Development Administration shall not implement the funding policy for the university center program as stated in the Federal Register notice of May 24, 1990 to reduce the grant of each university center from the Fiscal Year 1990 level and that any changes in individual grant amounts be made on the basis of failing to conform to the EDA grant agreements in place in fiscal year 1990, other than the funding policy for the university center program as stated in the Federal Register notice of May 24, 1990: Provided further, That any reduction in an individual grant amount to a university center from the Fiscal Year 1990 level shall be subject to the reprogramming procedures stated in section 606 of this Act.

ECONOMIC DEVELOPMENT REVOLVING FUND

(RESCISSION)

Of the unobligated balances in the Economic Development Revolving Fund, $35,000,000 are rescinded

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides an appropriation totalling $209,000,000 for Economic Development Assistance Programs. Of this amount, $12,950,000 is for the Trade Adjustment Assistance Program, including $12,400,000 for Trade Adjustment Assistance Centers and $550,000 for industry grants. The conference agreement also includes language limiting loan guarantees to $150,000,000 and language prohibiting funds for attorneys' or consultants' fees in connection with securing grants and contracts. In addition, the conference agreement includes language prohibiting EDA from implementing the funding policy for the university center program as stated in the Federal Register notice of May 24, 1990 to reduce the grant of each university center from the FY 1990 level. The conference agreement further provides that any reductions in individual grant amounts be made on the basis of failing to conform to the EDA grant agreements in place in FY 1990, other than the funding policy for the university center program as stated in the Federal Register notice of May 24, 1990. The conference agreement further provides that any reduction in a grant amount to a university center from the FY 1990 level should be subject to the Appropriations Committees reprogramming procedures. Finally, the conference agreement provides a rescission of $35,000,000 from the Economic Development Revolving Fund in order to meet deficit reduction targets.

The Senate bill would have appropriated a total of $204,430,000 for Economic Development Assistance Programs, including

$12,400,000 for Trade Adjustment Assistance Centers and $550,000 for industry assistance grants. The Senate bill also included the limitations on loan guarantees and attorneys' and consultants' fees in the conference agreement. The Senate bill also included a requirement that each university center that received funding in FY 1990 receive not less than the same level of funding in FY 1991 notwithstanding any EDA or Department of Commerce regulation.

The House bill would have appropriated $14,400,000 for the Trade Adjustment Assistance Program, but contained none of the other provisions included in the Senate amendment or the conference agreement.

The Department of Commerce has informed the Committee that the contingent liability for outstanding EDA loan guarantees is $61,000,000. Unobligated balances in the Fund currently are $140,000,000. Therefore, the remaining unobligated balances in the Fund after this rescission should be more than sufficient to fund the contingent liability on outstanding guarantees and provide for the current program level of new guarantees. While the conferees expect EDA to offer loan guarantees only when reasonably assured of repayment, the conferees also expect EDA to continue to implement the guarantee program in order to promote the agency's mission under the Public Works and Economic Development Act of 1965, as amended.

The amount in the conference agreement shall be allocated as follows among the various EDA programs:

Fiscal Year 1990 EDA Program Levels

Public works grants	$140,825
Planning assistance	23,102
Districts	(15,543)
Indians	(2,835)
States	(1,890)
Urban	(2,834)
Technical assistance	6,613
University centers	(4,724)
Research and evaluation	1,193
Economic adjustment grants	24,317
Sudden and severe projects	(12,282)
Revolving loan fund projects	(12,035)
Total	196,050

SALARIES AND EXPENSES

Amendment No. 7: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter stricken and inserted, insert the following: *$27,018,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977. Notwithstanding any other provision of this Act or any other law, funds appropriated in this paragraph shall be used to fill and maintain forty-nine permanent positions designated as Economic Development Representatives out of the total number of permanent*

positions funded in the Salaries and Expenses account of the Economic Development Administration for fiscal year 1991, of which no more than two positions shall be designated as National Economic Development Representatives: Provided further, That such positions shall be maintained within an organizational structure that provides at least one full-time EDR in each State to which a full-time EDR was assigned as of December 31, 1987

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $27,018,000 for Salaries and Expenses and authority to use the funds to monitor projects approved under Title I of the Public Works Employment Act of 1976, Title II of the Trade Act of 1974 and the Community Emergency Drought Relief Act of 1977. In addition the conference agreement enables EDA to allocate as National EDR's not more than two of the 49 permanent positions designated as EDR's.

The Senate bill would have appropriated $27,605,000 for Salaries and Expenses, the authority to monitor projects which is contained in the conference agreement, and language which specified the number of EDR's and their location in the various States.

The House bill would have appropriated $27,018,000 without providing any monitoring authority or language on EDR's.

The conference agreement modifies language which has been in the appropriation for several years which specifies the number of Economic Development Representatives (EDR's) funded from this appropriation. The language now enables EDA to allocate as National EDR's not more than two of the 49 permanent positions designated at EDR's.

However, with respect to the vacancies which occur among the traditional EDR positions, the conferees expects EDA to fill such vacancies within the assigned geographical location(s) of responsibility that existed for each such EDR as of December 31, 1987.

International Trade Administration

operations and administration

Amendment No. 8: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which substitutes the words "international trade" for "import administration" as proposed by the House.

Amendment No. 9: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *and engaging in trade promotional activities abroad without regard to the provisions of law set forth in 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1517; employment of Americans and aliens by contract for services abroad; rental of space abroad for periods not exceeding ten years,*

and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $330,000 for official representation expenses abroad; and purchase of passenger motor vehicles for official use abroad not to exceed $30,000 per vehicle; obtain insurance on official motor vehicles, rent tie lines and teletype equipment; $185,620,000 to maintain available until expended, of which $3,000,000 shall be for support costs of a new materials center in Ames, Iowa, and of which $7,175,000 is for the Office of Textiles and Apparels, including $3,315,000 for a grant to the Tailored Clothing Technology Corporation: Provided, That the provisions of the first sentence of section 105(f) and all of the section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Education and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities. Notwithstanding any other provision of law, upon the request of the Secretary of Commerce, the Secretary of State shall accord the diplomatic title of Minister-Counselor to the senior Commercial Officer assigned to any United States mission abroad: Provided further, That the number of Commercial Service officers accorded such diplomatic title at any time shall not exceed twelve. The Secretary of Commerce shall establish a foreign trade zone for Cedar Rapids, Iowa, not later than February 1, 1991, notwithstanding any other provision of law

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The Senate bill would have appropriated $183,620,000, provided language concerning certain limitations on the use of funds, and provided for certain activities of the Mutual Educational and Cultural Exchange Act and certain authority to designate the number of senior commercial officers with the diplomatic title of Minister-Counselor.

The conference agreement appropriates $185,620,000 for the International Trade Administration, inserts all of the language provisions contained in the Senate amendment, provides new language not in either the House or Senate bills earmarking $3,000,000 for support costs for a new materials center in Ames, Iowa, and provides new language requiring the Secretary of Commerce to establish a Foreign Trade Zone in Cedar Rapids, Iowa.

The House bill would have appropriated $24,421,000 for Import Administration activities with none of the provisions contained in the conference agreement or the Senate bill.

The conference agreement includes program increases of $800,000 for Import Administration and $8,325,000 for the U.S. and Foreign Commercial Service. The increase for the latter items does not include any funds for security costs for overseas operations, which is a responsibility of the Department of State. The conferees encourage the U.S. and Foreign Commercial Service to consider allocating funds above the budget request to the CIMS project.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

Amendment No. 10: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$43,599,000" named in said amendment, insert the following: *$43,099,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $43,099,000 for the Export Administration instead of $43,599,000 as proposed by the Senate and provides certain language provisions which were contained in the Senate amendment. The House bill contained no similar provisions.

The conference agreement includes the requested increase of $410,000 for the regional offices in Portland, Oregon; northern California; and Nashua, New Hampshire.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

Amendment No. 11: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$42,549,000" named in said amendment, insert: *$40,549,000* and in lieu of the sum "$26,873,000" named in said amendment, insert: *$24,873,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $40,549,000 for the Minority Business Development Agency of which $24,873,000 shall remain available until expended instead of an appropriation of $42,549,000 of which $26,873,000 would remain available until expended as proposed by the Senate. The House bill contained no similar provision.

UNITED STATES TRAVEL AND TOURISM ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 12: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

UNITED STATES TRAVEL AND TOURISM ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the United States Travel and Tourism Administration including travel and tourism promotional activities

abroad for travel to the United States and its possessions without regard to 44 U.S.C. 3702 and 3703; and including employment of American citizens and aliens by contract for services abroad; rental of space abroad for periods not exceeding five years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; advance of funds under contracts abroad; payment of tort claims in the manner authorized in the first paragraph of 28 U.S.C. 2672, when such claims arise in foreign countries; not to exceed $15,000 for representation expenses abroad; and grants to States or other eligible entities pursuant to 22 U.S.C. 2123 for the purpose of providing financial assistance for States whose tourism promotion needs have increased due to disasters; $19,596,000, to remain available until expended.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $19,596,000 for the Travel and Tourism Administration and certain authorities as proposed by the Senate and new language not in either the House or Senate bill which provides authority for grants to States whose tourism promotion needs have increased due to disasters. The House bill contained no provisions on any of these matters.

The conferees have provided $5,000,000 to the United States Travel and Tourism Administration for grants for the purpose of providing financial assistance for States whose tourism promotion needs have increased due to disasters, such as Hurricane Hugo and the Exxon Valdez oil spill.

National Oceanic and Atmospheric Administration

operations, research, and facilities

(Including Transfers of Funds)

Amendment No. 13: Inserts a heading as proposed by the Senate. The House bill contained no similar provision.

Amendment No. 14: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment insert the following: *$1,353,156,000 to remain available until expended, of which $2,200,000 shall be available for construction and renovation of facilities at the Stuttgart Fish Farming Experimental Station, Stuttgart, Arkansas, and to acquire equipment and furnishings necessary for such facility which are consistent with the original plan for the facility, and of which $550,000 shall be available for operational expenses at the Stuttgart Fish Farming Experimental Station, Stuttgart, Arkansas, and of which $400,000 shall be available only for a semitropical research facility located at Key Largo, Florida; and in addition, $34,521,000 shall be derived from the Airport and Airways Trust Fund as authorized by 49 U.S.C. 2205(d); and in addition $60,900,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries"; and in addition, $7,000,000 shall be derived by transfer from the Coastal Energy*

Impact Fund: Provided, That grants to States pursuant to section 306 and 306(a) of the Coastal Zone Management Act, as amended, shall not exceed $2,000,000 and shall not be less than $450,000: Provided further, That in addition to the sums appropriated elsewhere in this paragraph, not to exceed $500,000 shall be available from the receipts deposited in the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries" for grant management and related activities: Provided further, That notwithstanding any other provision of law, $400,000 shall be available to the South Carolina Coastal Council for the Charleston Harbor Estuary Special Area Management Plan

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes $1,353,156,000 instead of $1,037,465,000 as proposed by the House and $1,369,730,000 *as proposed by the Senate.*

The conference agreement provides the following amounts:

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

[Dollars in thousands]

Activity/Subactivity/Item	Fiscal year— 1990 appropriation	Fiscal year— 1991 President's request	House Mark	Senate Mark	Conference
National Ocean Service					
Mapping Charting & Geodesy:					
Mapping and Charting	$24,737	$26,533	$26,533	$26,533	$26,533
Great Lakes Mapping Project	100	0	1,000	100	500
ANCS II	1,660	1,644	1,644	1,644	1,644
Vertical Control Network	3,044	3,029	3,029	3,029	3,029
Subtotal, Mapping and Charting	29,541	31,206	32,206	31,306	31,706
Geodesy	15,540	15,728	15,728	15,728	15,728
SC Cooperative Geodetic Survey	577	0	0	577	577
Multi-Purpose Cadastre	1,836	0	1,836	1,836	1,836
Subtotal Geodesy	17,953	15,728	17,564	18,141	18,141
Total Mapping, Charting and Geodesy	47,494	46,934	49,770	49,447	49,847
Observation and Assessment:					
Observation and Prediction	10,176	10,503	10,503	10,503	10,503
Ocean Services	4,086	5,989	4,689	5,989	4,800
COAP	500	0	550	0	550
Gulf of Maine Data Collection Project				250	250
Circulatory Survey Program	777	373	373	773	773
Tampa Bay Mapping Project	1,000	0	0	0	1,500
California Data Buoys	151	0	151	151	151
Subtotal Observation & Prediction	16,690	16,865	16,266	17,666	18,527
Estuarine and Coastal Assessment	910	1,991		1,991	1,991
Damage Assessment	2,500	2,500		2,500	2,500
Ocean Assessments	12,759	12,693		10,193	10,193
LI Sound	1,000			1,000	1,000
Wetland Management Demonstration Project	900	0		1,400	1,400
Subtotal Estuarine and Coastal Ass	18,069	17,184	0	17,084	17,084
Coastal Ocean Science	6,400	17,369	11,369	11,869	10,369
Total Observation and Assessment	41,159	51,418	27,635	46,619	45,980

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—Continued

[Dollars in thousands]

Activity/Subactivity/Item	Fiscal year— 1990 appropriation	1991 President's request	House Mark	Senate Mark	Conference
Ocean and Coastal Management:					
Coastal Management—					
CZM 306 and 306A Grants	34,000	29,838	.....	35,000	34,600
CZM 309 Grants	400	0	.....	0	0
Acquisition of Estuarine Sanctuaries	3,490	3,473	.....	3,473	3,473
CZM Program Administration	3,351	2,894	.....	3,894	3,394
Purchase of Buxton Woods	1,500	0	.....	0	0
Charleston, SC Spec. Area Mgmnt. Plan	0	0	.....	400	400
Subtotal Coastal Management	42,741	36,205	0	42,767	41,867
Ocean Management	1,168	1,667	1,667	1,667	1,667
Marine Sanctuary Sites Program	3,122	3,322	4,122	3,322	3,822
HI Humpback Whale Marine Sanctuary Program	0	0	0	250	250
Subtotal Ocean Management	4,290	4,989	5,789	5,239	5,739
Total Ocean and Coastal Management	47,031	41,194	5,789	48,006	47,606
Total NOS	135,684	139,546	83,194	144,072	143,433
National Marine Fisheries Service					
Information Collection & Analyses:					
Resource Information	47,512	48,645	4,774	48,695	48,695
Conservation Engineering	0	750	.....	750	750
Bering Sea Pollock Research	0	750	.....	1,000	1,000
Alaskan Groundfish Surveys	0	750	.....	750	700
Aquaculture	2,725	465	.....	2,702	2,702
Stuttgart	2,050	.....	2,850	2,750	2,750
Protected Species Research	2,913	2,250	2,899	2,899	2,899
Marine Mammal Population	0	3,000	2,000	2,000	2,000
Chesapeake Bay Studies	1,600	0	.....	2,000	2,000
Right Whale Research	235	0	235	235	235
Alaska Salmon Enhancements	3,766	0	.....	2,300	2,300
Habitat Evaluation	471	0	.....	471	500
North Carolina	.....	.....	.....	0	1,000
Sub-Arctic Bottomfish Fisheries	753	0	.....	0	0
Gulf of Maine Groundfish Svy	.....	.....	.....	500	500
Hawaii Stock Management Plan	400	0	.....	400	400
Yukon River Chinook Salmon	235	0	.....	235	235
Antarctic Research	1,300	0	.....	1,300	1,300
Atlantic Salmon Research	500	0	.....	500	500
Oyster Disease Research	500	0	.....	852	1,352
Field Structure Savings	0	−4,000	.....	0	0
Dolphin Research	.....	.....	400	0	400
West Coast Groundfish	847	843	.....	843	843
SEFCAR	.....	.....	250	0	250
Pacific Salmon Treaty	4,708	4,686	.....	5,400	5,000
SEAMAP	942	938	.....	938	938
MARFIN	3,000	2,986	.....	2,986	2,986
Gear Entanglement Studies	706	703	.....	703	703
New England Stock Research	650	647	.....	647	647
Alaska Whale Reimbursement	170	0	.....	0	0
Subtotal Resource Information	75,983	63,413	13,408	81,856	83,585
Fishery Industry Information	0	.....	.....	.....	.....
Fish Statistics/Alaska Monitoring	9,759	11,898	.....	10,898	10,898
PACFIN	1,000	2,000	.....	2,000	2,000
Subtotal Fishery Industry Info.	10,759	13,898	0	12,898	12,898
Information Analysis & Dissemination	18,912	19,277	1,120	19,277	19,277
Computer Hardware and Software	0	1,700	.....	1,700	1,700

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—Continued

[Dollars in thousands]

Activity/Subactivity/Item	Fiscal year— 1990 appropriation	Fiscal year— 1991 President's request	House Mark	Senate Mark	Conference
Subtotal Info. Analysis & Diss.	18,912	20,977	1,120	20,977	20,977
Total Info. Collection & Analyses	105,654	98,288	14,528	115,731	117,460
Conservation and Management Operations:					
Fisheries Management Program	12,040	12,141		12,141	12,141
Columbia River Hatcheries	9,300	0		10,400	10,300
Smolt				0	100
Columbia River Endangered Species Study				300	300
Management of Georges Bank	471	0		471	471
Regional Councils	7,233	7,199		8,999	8,500
Subtotal Fisheries Management Pgm.	29,044	19,340	0	32,311	31,812
Protected Species Management	3,612	3,677	2,347	3,677	3,677
Edangered Species Recovery Plans	235	235	235	235	235
Oregon Harbor Seals, Sea Lions	36	0		36	36
North Pacific Driftnet Program	3,000	3,300		4,800	4,300
MMPA Implementation	7,500	7,500	7,500	7,500	7,500
Fishery Observer Training	0	0	0	200	200
St. Paul Trust Fund	1,600	0		0	0
St. George Trust Fund	1,100	0		0	0
Subtotal Protected Species Mgmnt.	17,083	14,712	10,082	16,448	15,948
Habitat Conservation	5,412	5,544		5,544	5,544
Enforcement and Surveillance	8,871	9,380	1,521	9,380	9,380
Total, Conservation and Management Ops	60,410	48,976	11,603	63,683	62,684
State and Industry Assistance Programs:					
Grants to States	0	0		0	0
Interjurisdictional Fisheries Grants	3,500	0		3,500	3,500
Anadromous Grants	2,354	0		2,354	2,354
Striped Bass Research	471	0		471	471
Interstate Fish Commissions	330	0		330	330
Subtotal, Grants to States	6,655	0	0	6,655	6,655
Fisheries Development Program					
Fisheries Trade Promotion Activities	1,388	1,388		1,388	1,388
Product Quality and Safety Research	8,620	4,506		8,906	8,906
Fish Oil Research	942	0		942	942
Mahi Mahi/US Asia Aquaculture	188	0		470	470
Shellfish Water Standards	500	0		1,500	1,500
Model Seafood Inspection Program	330	0		330	330
Seafood Consumer Center			1,000		1,000
Subtotal Fisheries Development Pgm.	11,968	5,894	1,000	13,536	14,536
Total State & Industry Assistance Pgm.	18,623	5,894	1,000	20,191	21,191
Total NMFS	184,687	153,158	27,131	199,605	201,335
Oceanic and Atmospheric Research					
Climate and Air Quality Research:					
Interannual Seasonal Climate R.	8,224	8,260	8,260	8,260	8,260
Long Term Climate & Air Quality R.	22,536	23,498	23,498	23,498	23,498
National Acid Precipitation Asses.	1,487	0	1,487	1,487	1,487
Subtotal Long Term Clim & AQ R.	24,023	23,498	24,985	24,985	24,985
Climate and Global Change	18,000	86,914	47,914	52,914	47,000
NCPO International Climate Panel	250	0		0	0
Regional Climate Centers	2,892	0		3,140	3,140
Subtotal National Climate Program	3,142	0	0	3,140	3,140
Total, Climate & Air Quality Research	53,389	118,672	81,159	89,299	83,585

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—Continued

[Dollars in thousands]

Activity/Subactivity/Item	Fiscal year— 1990 appropriation	Fiscal year— 1991 President's request	House Mark	Senate Mark	Conference
Atmospheric Programs:					
Weather Research	28,504	28,111	28,111	28,111	28,111
Severe Storn/Mesoscale	5,600	5,600	5,600	5,600	5,600
PROFS	3,766	1,883	3,766	3,766	3,766
Weather Modification Matching Grants	2,213	0	2,763	2,213	2,763
Subtotal Weather Research	40,083	35,594	40,240	39,690	40,240
Solar-Terrestrial Services & Research	4,550	6,205	4,705	4,705	4,705
Total Atmospheric Programs	44,633	41,799	44,945	44,395	44,945
Ocean and Great Lakes Programs:					
Marine Prediction Research	9,984	8,360	8,360	8,360	8,360
GLERL	4,772	3,172	4,772	5,772	4,772
GLERL-Zebra Mussel			1,000	0	1,000
GERL-Research Vessel			1,000	0	0
VENTS	2,000	0	2,000	2,600	2,600
SE/US Caribbean FOCI	942	0	942	942	942
Fla. Lab. Study	0	0	200	0	200
Oceanology			100	0	100
Subtotal Marine Prediction Research	17,698	11,532	18,374	17,674	17,974
Sea Grant College Program	41,000	27,498		41,798	40,798
Zebra Mussel Research—Sea Grant				1,000	2,000
National Coastal R&D Institute	1,777	0	−1,177	1,177	1,000
United States/Asia Aquaculture Exchange	282	0	−282	0	0
Subtotal Sea Grant	42,459	27,498	−1,459	43,975	43,798
NOAA Undersea Research Program	14,285	0	14,285	14,285	16,285
Key Largo Tropical Research Facility	377	0	400	0	400
Subtotal Undersea Research Program	14,662	0	14,685	14,285	16,685
Total Ocean and Great Lakes Programs	74,819	39,030	31,600	75,934	78,457
Total Oceanic and Atmospheric Research	172,841	199,501	157,704	209,628	206,987
National Weather Service					
Operations and Research:					
Local Warnings and Forecasts	188,803	220,364	220,364	220,364	220,364
MARDI		11,000	5,000	11,000	10,000
Reduce Staff at 8 WSFO's	787	0	787	787	787
Southern Region Headquarters	12,850	11,998	12,850	12,850	12,850
Data Buoy Activities	14,665	13,560	14,100	14,665	14,665
Pacific and Alaska Region Headquarters	4,200	3,817	4,200	4,200	4,200
Agricultural Weather Service Program	1,745	0	1,745	1,745	1,745
Fruit Frost Program	679	0	679	679	679
Fire Weather Services	1,582	1,112	1,582	1,582	1,582
Susquehanna River Basin Flood System	700	0	700	700	700
Colorado River Basin Flood System	300	0	300	300	300
Contract Observers—NW	200	0	200	200	200
Base Reduction/Equipment Maintenance	29,073		1,054	0	1,000
Samoa			300	300	300
Subtotal Local Warnings and Forecasts	255,584	261,851	263,861	269,372	269,372
Central Forecast Guidance	29,861	28,394	28,394	28,394	28,394
Atmospheric and Hydrological Research	2,394	2,311	2,311	2,311	2,311
Total Operations and Research	287,839	292,556	294,566	300,077	300,077
Systems Acquisition:					
NEXRAD	71,400	114,343	101,059	114,343	114,343
ASOS	8,725	14,058	11,183	14,058	12,500
AWIPS/NOAAPORT	13,500	41,903	33,436	35,194	20,000

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—Continued

[Dollars in thousands]

Activity/Subactivity/Item	Fiscal year— 1990 appropriation	Fiscal year— 1991 President's request	House Mark	Senate Mark	Conference
NMC Computer	7,800	7,263	7,263	7,263	7,263
Total Systems Acquisition	101,425	177,467	152,941	170,858	154,106
Total National Weather Service	389,264	470,023	447,507	470,935	454,183
National Environmental Satellite, Data, and Information Service					
Polar Spacecraft and Launching	15,184	64,584	50,112	50,112	50,584
Geostationary Spacecraft and Launching	135,997	109,146	109,146	109,146	109,146
Environmental Observing Services	48,964	48,192	48,192	48,192	48,192
Landsat Operations	9,500	0	9,500	9,500	9,500
Landsat Commercialization	34,900	36,334	.....	34,734	34,734
Total Satellite Observing Systems	224,545	258,256	216,950	251,684	252,156
Environmental Data Management Systems	20,715	22,174	22,174	22,174	22,174
Total NESDIS	265,260	280,430	239,124	273,858	274,330
Program Support					
Executive Direction & Administration	25,079	25,006	25,006	25,006	25,006
Central Administrative Support	30,487	37,192	36,992	36,992	36,992
Retired Pay Commissioned Officers	5,228	5,277	5,277	5,277	5,277
Total Administration and Services	60,794	67,475	67,275	67,275	67,275
Facilities Maintenance	471	3,204	1,954	1,954	1,954
Beaufort, NC Maintenance	200	0	200	0	200
Woods Hole Bulkhead & Dock	2,000	0	670	670	670
Facilities Consolidation	750	3,473	750	3,473	3,000
Total Facilities	3,421	6,677	3,574	6,097	5,824
Marine Services	59,910	65,848	64,130	63,720	63,720
Marine Electronics Agenda	675	0	750	0	750
Subtotal Marine Services	60,585	65,848	64,880	63,720	64,470
Aircraft Services	7,571	9,306	8,440	8,440	8,440
Total Program Support	132,371	149,306	144,169	145,532	146,009
Adjustments to Base/Unidentified:					
GRH Cut	.....	.....	6,079	.....	779
Airport & Airways Trust Fund Transfer Inc	.....	.....	5,357	.....	0
Total Direct Obligations	1,280,107	1,391,964	1,110,265	1,443,630	1,427,056
Financing:					
Deobligations	−6,000	−6,000	−6,000	−6,000	−6,000
Transfer From Coastal Energy Impact Fund	−4,500	.....	.....	.....	.....
Budget Authority	1,269,607	1,385,964	1,104,265	1,437,630	1,421,056
Transfers:					
From Promote and Develop	−55,000	−61,900	−61,900	−60,900	−60,900
From Coastal Energy Impact Fund	.....	−8,000	−4,900	−7,000	−7,000
Airport and Airways Trust Fund	.....	.....	.....	[34,521]	[34,521]
Appropriation	1,214,607	1,316,064	1,037,465	1,369,730	1,353,156

The conference agreement also includes earmarkings totalling $2,750,000 for construction, renovation and operation of facilities at the Stuttgart Fish Farming Experimental Station, a transfer of $34,521,000 from the Airport and Airways Trust Fund, a transfer of $7,000,000 from the Coastal Energy Impact Fund, each of which

was proposed by the Senate. The House bill contained no similar provisions.

The conference agreement also includes a transfer of $60,900,000 from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries" as proposed by the Senate. The House bill contained no similar provision.

The conference agreement also makes available not to exceed $500,000 from the receipts deposited in the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries" for grant management and not less than $450,000 and not to exceed $2,000,000 for grants to States under the Coastal Zone Management Act, as proposed by the Senate. The House bill contained no similar provisions.

The conference agreement does not include the provision proposed by the Senate which would have required no less than $8,400,000 to be obligated no more than 30 days following enactment of this Act for the operation and maintenance of anadromous fish hatcheries in the Columbia River Basin. The House bill contained no similar provision. The conferees have been given assurance that NOAA will make these funds available within 45 days of the date of enactment of this Act.

The conference agreement provides that $400,000 shall be available to the South Carolina Coastal Council, notwithstanding any other provision of law. The Senate had proposed this language as well as a provision waiving a financial matching requirement for the Charleston Harbor Estuary Special Area Management Plan. The House bill contained no similar provision.

The conference agreement also includes an earmarking not included in either the House or Senate bill of $400,000 to support continuation of work at a semi-tropical research facility located at Key Largo, Florida.

The conferees are agreed that in awarding grants for zebra mussel research, NOAA should given primary consideration to sea grant college programs located in States affected by zebra mussels.

The conferees expect the Department of Commerce promptly to provide to the relevant committees of the Congress such information or reports on current issues within the scope of section 6 of Public Law 92-500 and the need, if any, for revisions to this statutory mandate. In particular, the Department should report on the feasibility and cost of studies of the likely effects on the competitiveness of United States industry and/or the U.S. economy of one or more scenarios involving domestic environmental regulatory actions or actions to implement actual or potential environmental treaties or international agreements.

The conference agreement includes $1,460,000 for the Gloucester Laboratory.

The conference agreement includes $2,500,000 for the National Undersea Research Program (NURP) at the Institute of Marine Coastal Sciences at Rutgers University to carry out the activities specified for this institution in House Report 101-537. The conference agreement also includes $2,500,000 for the National Undersea Research Program in Hawaii. The conferees are agreed that NOAA should submit a report to the Appropriations Committees by December 31, 1990 detailing amounts expended and the purposes of

such expenditures for the NURP program for the last three fiscal years and the proposals for expenditure of funds for the program for FY 1991.

DAMAGE ASSESSMENT AND RESTORATION REVOLVING FUND

Amendment No. 15: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum named in said amendment, insert: *$5,000,000*

The managers on the of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $5,000,000 to capitalize the new Damage Assessment and Restoration Revolving Fund instead of $4,500,000 for this purpose as proposed by the Senate. The conference agreement also includes all of the bill language proposed by the Senate which provides certain authorities for the Fund. The House bill contained no similar provision.

The additional $500,000 provided above the Senate bill by the conference agreement is for a damage assessment project for a radioactive dump site in the Gulf of the Farallones National Marine Sanctuary.

FISHERIES PROMOTIONAL FUND

Amendment No. 16: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which makes available until expended $2,000,000 of the funds deposited in the Fisheries Promotional Fund as proposed by the Senate. The House bill contained no similar provision.

FISHING VESSEL AND GEAR DAMAGE FUND

Amendment No. 17: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which inserts a provision making the appropriation available until expended. The House bill contained no similar provision.

FISHERMEN'S CONTINGENCY FUND

Amendment No. 18: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which inserts a provision making the appropriation available until expended. The House bill contained no similar provision.

FOREIGN FISHING OBSERVER FUND

Amendment No. 19: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which inserts a provision making the appropriation available until expended. The House bill contained no similar provision.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

Amendment No. 20: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment insert the following: *including defense of suits instituted against the Commissioner of Patents and Trademarks; $91,000,000 of which $88,000,000 shall be derived from deposits in the Patent and Trademark Office Fee Surcharge Fund as authorized by law: Provided, That the amounts made available under the Fund shall not exceed amounts deposited; and*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $3,000,000 out of the General Fund of the Treasury and $88,000,000 from deposits of fees in a new Patent and Trademark Office Fee Surcharge Fund as authorized by law and includes language which permits Patent and Trademark Office funds to be used for defense of suits instituted against the Commissioner.

The House bill had proposed an appropriation of $109,807,000 out of the General Fund of the Treasury.

The Senate bill had proposed no appropriation for the Patent Office on the understanding emanating from the Budget Summit that the Patent and Trademark Office would become self-sustaining through a legislative increase in patent fees which would be treated as offsetting collections. The Senate bill had also proposed the language contained in the conference agreement which permits Patent and Trademark Office funds to be used for defense of suits instituted against the Commissioner.

The $3,000,000 appropriated out of the General Fund of the Treasury under the conference agreement are for support of core public functions of the Patent and Trademark Office, which, in the opinion of the conferees, should be financed with public funds.

Amendment No. 21: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which inserts a provision making the funds for the Patent and Trademark Office available until expended. The House bill contained no similar provision.

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 22: Inserts a heading as proposed by the Senate. The House bill contained no similar provision.

Amendment No. 23: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum named in said amendment, insert the following: *$4,200,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes $4,200,000 for the Technology Administration instead of $4,433,000 as proposed by the Senate. The House bill contained no similar provision.

The conference agreement provides $200,000 for the Clearinghouse on State and Local Competitiveness Initiatives.

INFORMATION PRODUCTS AND SERVICES

Amendment No. 24: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which permits receipts up to $500,000 to be used for modernization of the facilities of the National Technical Information Service. The House bill contained no similar provision.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

Amendment No. 25: Inserts a heading as proposed by the Senate. The House bill contained no similar provision.

Amendment No. 26: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$172,228,000" named in said amendment insert: *$166,228,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $166,228,000 for the National Institute of Standards and Technology of which not to exceed $9,772,000 may be transferred to the Working Capital Fund and of which not to exceed $10,095,000 shall be available for construction of research facilities. The Senate bill would have provided $172,228,000 and the limitations contained in the conference agreement. The House bill contained no similar provisions.

The conference agreement provides the following program increases:

[Dollars in thousands]

	Senate
Facilities	$900
Supercomputer	2,200
Lightwave	2,280
ISDN	900
Chemical	1,500
Semiconductors	1,500
Computer Security	1,000
Intelligent Machines	2,000
Materials Processing	900
Composites	550
Superconductivity	550
Total	14,280

INDUSTRIAL TECHNOLOGY SERVICES

Amendment No. 27: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum named in said amendment, insert: *$49,100,000.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $49,100,000 for the external technology grant programs of the National Institute of Standards and Technology which are funded in the Industrial Technology Services account instead of $52,100,000 as proposed by the Senate. The House bill contained no provision on this matter.

The following table shows the conference agreement for the three grant program areas:

Program	
Centers for Transfer of Manufacturing Technology	$11,900,000
Advanced Technology Program	35,900,000
State Technology Extension Program	1,300,000
Total	49,100,000

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 28: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum named in said amendment, insert: *$15,252,000.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $15,252,000 for the National Telecommunications and Information Administration instead of $14,882,000 as proposed by the Senate. The House bill contained no similar provision.

The conference agreement provides the full budget request and includes a program increase of $370,000 for research and policy studies in the development of high definition television systems (HDTV) in the U.S.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

Amendment No. 29: Appropriates $21,833,000 as proposed by the Senate instead of $20,833,000 as proposed by the House.

Amendment No. 30: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate making prior year unobligated balances available for grants for projects for which applications have been submitted and approved during any fiscal year. The House bill contained no similar provision.

Amendment No. 31: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which earmarks $1,000,000 for the Pan-Pacific Education and Cultural Experiments by Satellite program (PEACESAT). The House bill contained no similar provision.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

Amendment No. 32: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts language making Commerce Department funds in this Act available for advanced payments only upon certification of officials designated by the Secretary that such payments are in the public interest. The House bill contained no similar provision.

Amendment No. 33: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts a provision prohibiting the use of Commerce Department funds in this Act to support hurricane reconnaissance aircraft and activities which were under the control of the United States Air Force or the United States Air Force Reserve as of June 1, 1990. The House bill contained no similar provision.

Amendment No. 34: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts a provision prohibiting the use of Commerce Department funds in this or any previous Act for the purpose of reimbursing the Unemployment Trust Fund or any other account of the Treasury to pay unemployment compensation for temporary census workers for services performed after April 20, 1990. The House bill contained no similar provision.

The budget estimates submitted to Congress to reimburse the Unemployment Trust Fund for temporary census workers have been notably inaccurate. The conferees expect the Department of Commerce and the Bureau of the Census to review this matter thoroughly after 1990 census activities are completed and submit an estimate for consideration by the Congress to reimburse the Unemployment Compensation Trust Fund in the FY 1992 budget, based as closely as possible upon the actual number of temporary census workers who claim unemployment compensation in their respective States. Pos'poning a possible appropriation to reimburse the Unemployment Compensation Trust Fund until an accurate budget estimate can be developed should not in any way result in temporary census workers being denied compensation, nor any State being denied reimbursement from the Unemployment Compensation Trust Fund for unemployment compensation payments to temporary census workers since the present balances in the Fund are sufficient to meet all such requirements during FY 1991.

The conferees believe that any request submitted to reimburse the Trust Fund should be considered a mandatory item since unemployment compensation is an entitlement for temporary census workers who qualify for such payments under current law. In addi-

tion, the Bureau of the Census is required to reimburse the Unemployment Trust Fund under current law. The conferees, therefore, strongly urge that this item be reclassified as a mandatory item in the FY 1992 budget.

Amendment No. 35: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 105. (a) Funds appropriated by this Act to the National Institute of Standards and Technology of the Department of Commerce for the Advanced Technology Program shall be available for award to companies or to joint ventures under the terms and conditions set forth in subsection (b) of this section, in addition to any terms and conditions established by rules issued by the Secretary of Commerce.

(b)(1) A company shall be eligible to receive financial assistance from the Secretary of Commerce only if—

(A) the Secretary of Commerce finds that the company's participation in the Advanced Technology Program would be in the economic interest of the United States, as evidenced by investments in the United States in research, development, and manufacturing (including, for example, the manufacture of major components or subassemblies in the United States); significant contributions to employment in the United States; and agreement with respect to any technology arising from assistance provided by the Secretary of Commerce to promote the manufacture within the United States of products resulting from that technology (taking into account the goals of promoting the competitiveness of United States industry), and to procure parts and materials from competitive suppliers; and

(B) either—

(i) the company is a United States-owned company; or

(ii) the Secretary of Commerce finds that the company has a parent company which is incorporated in a country which affords the United States-owned companies opportunities, comparable to those afforded to any other company, to participate in any joint venture similar to those funded through the Advanced Technology Program; affords to United States-owned companies local investment opportunities comparable to those afforded to any other company; and affords adequate and effective protection for the intellectual property rights of United States-owned companies.

(2) The Secretary of Commerce may, 30 days after notice to Congress, suspend a company or joint venture from receiving continued assistance through the Advanced Technology Program if the Secretary of Commerce determines that the company, the country of incorporation of the parent company of a company, or the joint venture has failed to satisfy any of the criteria set forth in this subsection, and that it is in the national interest of the United States to do so.

(3) As used in this section, the term "United States-owned company" means a company that has a majority ownership or control by individuals who are citizens of the United States.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees have agreed to a modification to the Senate bill regarding the conditions under which companies are eligible to receive assistance under the Commerce Department's Advanced Technology Program. The conference agreement provides that a company shall be eligible to receive financial assistance from the Secretary of Commerce only if (a) the Secretary finds that the company's participation in the Advanced Technology Program would be in the economic interest of the United States, as evidenced by investments, employment, and agreement to promote manufacturing in the U.S., and (b) either the company is a United States-owned company or the Secretary finds that the company has a parent company in a country which affords U.S.-owned companies research and investment opportunities comparable to other companies and offers adequate and effective protection for intellectual property rights. The conference agreement also provides that the Secretary may suspend a company or joint venture which fails to satisfy any of these criteria. Finally, the conference agreement defines the term "United States-owned company" as a company that has a majority ownership or control by individuals who are citizens of the United States.

The Senate bill would have generally prohibited non-North American companies from participating in research programs funded under the Advanced Technology Program unless such foreign-owned companies could make a material contribution to the research project funded under the program; make a commitment to the American market, in terms of having research, manufacturing and employment in the U.S.; and had not repeatedly violated U.S. laws concerning dumping and unfair subsidies. In addition, the Senate bill would have required the foreign-owned company's country to offer U.S. firms reciprocal access to its government-supported research as a condition for eligibility in the program.

The House bill contained no similar provision.

Amendment No. 36: Deletes language proposed by the Senate which would have required the Secretary of Commerce to submit a report to appropriate Congressional committees by February 1, 1991, providing certain detailed information on procurement of the GOES weather satellites I, J, K, L and M and on contingency plans for a potential gap in GOES weather satellite products. The House bill contained no similar provision.

The conferees are agreed that the Secretary of Commerce shall provide a report to the appropriate committees of the Congress on the procurement of the weather satellites GOES I, J, K, L, and M which—

(1) describes the procedures associated with this procurement, including a discussion of the respective roles of NOAA and NASA, and analysis of prior and existing agreements between NOAA and NASA regarding spacecraft research and development responsibilities, and an identification of individual officials responsible for procurement decisions, including contract modifications;

(2) provides the original cost estimates and schedule for the spacecraft procurement, outlines the performance capabilities

for the spacecraft and instruments specified in the contract including a description of anticipated improvements in operational weather warning and forecast systems which would result from the new GOES system design, and provides information on all changes to the original estimates and performance specifications, including the reason for each change and the implication of each change for cost, schedule, and weather service warning and forecast system performance;

(3) provides the most recent estimate of spacecraft and launch costs and schedules for this spacecraft series, including a description of potential contract modifications and their impacts on cost, schedule, and weather service warning and forecast system performance; and

(4) sets out a contingency plan for a potential gap in GOES service, including a description of past decisions regarding options for avoiding a gap in GOES service, a detailed description of current contingency plan elements, costs, and schedules, options for obtaining a "gap-filler" spacecraft and instrument redesign, a description of the procedures for implementing the contingency plan, and an analysis of the impact of the loss of GOES service on weather service warning and forecast system performance if the contingency plan were implemented.

The report shall be transmitted to the Congress no later than February 1, 1991.

Amendment No. 37: Deletes language proposed by the Senate which would have required that $100,000 of the funds in this Act available for research on zebra mussels be used for translation into English of scientific materials published in Russian and other languages. The House bill contained no similar provision.

The conferees are aware that extensive research on the control and eradication of zebra mussels currently exists, though published in languages other than English. The conferees encourage recipients of funds provided for zebra mussel research under the National Oceanic and Atmospheric Administration's Sea Grant program to make use of any existing materials and make funds available for the translation into English of existing research materials published in Russian and other languages.

TITLE II—DEPARTMENT OF JUSTICE

Financial Institution Investigations, Prosecutions and Civil Proceedings

SALARIES AND EXPENSES

Amendment No. 38: Deletes language proposed by the House which appropriated $75,000,000 for Savings and Loan fraud investigations and prosecutions for fiscal year 1991.

The conference agreement instead provides for an increase of $106.8 million above the President's request to investigate and prosecute financial institution fraud. This increase provides for over a doubling of the resources currently available to investigate and prosecute those responsible for the worst white collar crime scandal of the century.

The conference agreement provides for increases over the request in the various Justice Department agencies as follows:

Federal Bureau of Investigation	$47,300,000
United States Attorneys	45,000,000
Criminal Division	6,200,000
Civil Division	4,900,000
Tax Division	3,400,000
Total	106,800,000

General Administration

SALARIES AND EXPENSES

Amendment No. 39: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates $100,968,000 for General Administration, makes $970,000 available until expended, and places limits on the numbers of positions authorized for the Offices of Public Affairs and Legislative Affairs for fiscal year 1991. The House contained no similar provisions.

The conference agreement provides $100,968,000 for General Administration, the full amount requested, less the $93,000 associated with the Foreign Affairs Administrative System (FAAS), which will be funded through the Department of State.

TELEMARKETING FRAUD

The conferees are concerned that the Department of Justice may not be providing sufficient attention and resources to telemarketing fraud, which is a serious national problem. The conferees expect the Justice Department to provide a report, within six months of enactment of this bill, which addresses the following:

1. Measures to be taken by the Department to encourage those United States Attorneys which have not been active in investigating and prosecuting fraudulent telemarketers to become more active in this regard.

2. The funds expended by, and the number of personnel assigned in each of the 92 U.S. Attorneys offices to investigate and/or prosecute telemarketing fraud during each of the last two fiscal years.

3. What additional resources are required to expand and accelerate the investigation and prosecution of telemarketing fraud. If the Department believes no additional resources are required, please explain why.

4. Please provide the recommended statutory language necessary to enact the following into law:

   A. Making it a crime to submit into the credit card system, without fnancial institution authorization, credit card sales drafts through the accounts of merchants having authorized access to the credit card systems.

   B. Expanding the Federal mail fraud statute to include commercial mail couriers and facsimile machines.

   C. Amending the Federal wire fraud statute to prohibit illegal activities which affect interestate commerce.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Amendment No. 40: Inserts the heading "Office of Inspector General" as proposed by the Senate. The House included no similar heading.

Amendment No. 41: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$22,140,000" named in said amendment, insert: *$25,140,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $25,140,000 instead of $22,140,000 as proposed by the Senate, and includes language which allows for up to $10,000 to meet unforeseen emergencies of a confidential character, and allows for acquisition, lease, maintenance and operation of motor vehicles without regard to purchase limitations. The House bill contained no similar provisions.

The conference agreement allows for base adjustments of $2,599,000 and program growth of $2,000,000, as follows:

Increased audits	$450,000
Increased investigations	1,100,000
Management	450,000

WORKING CAPITAL FUND

Amendment No. 42: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment, which authorizes the Department of Justice to expand up to $3,000,000 to convert their payroll system to the Department of Agriculture's National Finance system. The House bill contained no similar provision.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

Amendment No. 43: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum proposed in said amendment insert: *$10,051,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $10,051,000 for the United States Parole Commission instead of $9,869,000 as proposed by the Senate. The House bill contained no similar provision.

The conference agreement provides requested adjustments to base and program changes, and adds $299,000 above the request as follows: three positions and $117,000 for the Hyattsville Monitoring Project, $100,000 for contract typists, and two positions and $82,000 for the Supervision Monitoring Program.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

Amendment No. 44: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$352,103,000" named in said amendment insert: *$343,603,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $343,603,000, instead of $352,103,000 as proposed by the Senate, and includes language proposed by the Senate which allows up to $20,000 for collecting evidence, up to $5,639,000 for the United States National Central Bureau—INTERPOL, up to $6,000,000 for litigation support contracts, and up to $17,000,000 for the Department's Legal Activities Office Automation systems. The House bill contained no similar provisions.

The conference agreement provides $343,603,000 for General Legal Activities for fiscal year 1991, which allows for requested adjustments to base, less $6,000 associated with FAAS reimbursements.

The conference agreement allows for $15,500,000 of the requested program growth of $18,747,000 for automated litigation support, environmental programs, civil rights programs, white collar crime, and tax prosecutions.

S&L fraud.—The conference agreement also allows for a $14,502,000 increase over the request, for total program growth of $18,000,000 over fiscal year 1990, for the investigation and prosecution of financial institution fraud as follows:

Tax Division	$3,480,000
Civil Division	8,320,000
Criminal Division	6,200,000

Office automation.—The conference agreement provides $17,000,000 for office automation, the amount necessary to fully fund the systems installed in fiscal year 1990. The conferees are aware that the Department has proposed to expand the scope of its Legal Activities Office Automation system to make it a department-wide system. The existing system was designed based on the requirements of the U.S. Attorneys and the litigating divisions of the Department. The conferees support the goal of providing uniform office automation capabilities throughout the Department's various organizations; however, the needs of those organizations are different from those of the litigating divisions. The conferees expect the Attorney General to develop new uniform office automation requirements and technical standards before committing to any department-wide system.

In addition, the existing office automation contract was awarded based on a Delegation of Procurement Authority (DPA) that assumed the system was to be limited to the senior management and the litigating activities of the Department. The conferees believe it would be inappropriate to procure this system for department-wide

use under the existing procurement contract. The conferees expect the existing contract to be used as it was initially intended, in support of senior management and litigation-related efforts of the Department. The conferees further expect that any department-wide system will be accomplished through a full and open competitive procurement action.

VACCINE INJURY COMPENSATION CLAIMS

Amendment No. 45: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum proposed by said amendment insert: *$2,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides for a transfer of up to $2,000,000 for Justice Department costs associated with claims filed under the National Vaccine Injury Compensation Program, instead of $1,000,000 as proposed by the Senate and $1,500,000 as proposed by the House. The conferees were recently made aware of the large number of last-minute claims filed prior to the September 30, 1990 deadline. As a result of these late filings and the legal requirement to process the cases within 14 months of receipt, the conference agreement allows the Department to receive up to $500,000 above their request to handle the additional workload.

SALARIES AND EXPENSES, ANTITRUST DIVISION

Amendment No. 46: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides a total of $53,730,000 for the Antitrust Division during fiscal year 1991, of which $20,000,000 shall be derived from fees, and waives the provisions of the Antideficiency Act should fee collections fall behind schedule. The House bill contained no similar provisions.

The conference agreement allows for an increase of $5,400,000 over actual FY 1990 levels, associated with an anticipated increase in fee collections.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

Amendment No. 47: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$674,095,000" named in said amendment insert: *$673,095,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $673,095,000 instead of $674,095,000 as proposed by the Senate, and includes Senate language which makes up to $5,000,000 available for debt collection and up to $8,000 available for representation expenses. The House bill contained no similar provisions.

The conference agreement appropriates $673,095,000 for the United States Attorneys for fiscal year 1991, which provides for requested adjustments to base and program reductions. The conference agreement also provides $45,000,000 above the request and above fiscal year 1990 levels for the investigation and prosecution of financial institution fraud.

The conferees agree with language in the Senate report authorizing the use of available U.S. Attorney funds to complete the installation of the new office automation system into the remaining offices.

UNITED STATES TRUSTEE SYSTEM FUND

Amendment No. 48: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum named in said amendment insert: *$64,300,000*

The managers on the part of the Senate will offer a motion to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $64,300,000, instead of $64,703,000 as proposed by the Senate, and includes Senate language which allows the Trustees to pay refunds due depositors. The House bill contained no similar provisions.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

Amendment No. 49: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates $640,000 as proposed by the Senate. The House bill contained no similar provision.

The conference agreement provides $640,000, an increase of $150,000 above the amount requested for the Commission for fiscal year 1991, in order to expedite the settlement of claims of American citizens against Iran.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

Amendment No. 49A: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which restores prior year language authorizing funds for passenger motor vehicles. The House bill contained no similar provision.

Amendment No. 50: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which makes $12,653,000 available until expended for renovation and construction of holding facilities, and which provides $6,000 for official reception and representation expenses. The House bill contained no similar provision.

The conference agreement provides an appropriation of $288,529,000 for the Marshals Service for FY 1991, which is the full budget request.

SUPPORT OF UNITED STATES PRISONERS

Amendment No. 51: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates $193,034,000, the same amount as in the House bill, and includes language, not in the House bill, making $15,000,000 available for the Cooperative Agreement Program. The conference agreement provides an appropriation of $193,034,000 for Support of U.S. Prisoners for fiscal year 1991, the full budget request.

FEES AND EXPENSES OF WITNESSES

Amendment No. 52: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates the requested $70,628,000 for Fees and Expenses of Witnesses and includes language which makes $2,000,000 available for safehouses. The House bill contained no similar provisions.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

Amendment No. 53: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$28,172,000"' named in said amendment insert: *$27,172,000*

and in lieu of the sum "$20,214,000" named in said amendment insert: *$19,614,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $27,172,000 instead of $28,172,000 as proposed by the Senate, and limits to $19,614,000 the amount available for the processing, care placement of Cuban and Haitian entrants instead of $20,214,000 as proposed by the Senate. The House bill contained no similar provisions.

The conference agreement holds to fiscal year 1990 levels the amount available for the prevention and conciliation of community disputes. The conferees expect the Community Relations Service to provide $400,000 to a private entity or entities, such as the National Institute Against Prejudice and Violence, for efforts to combat and respond to prejudice and bigotry-related crime as described in the Senate report.

The conferees have been made aware of the extremely high cost associated with the medical/psychiatric care provided Mariel Cuban detainees in St. Elizabeths Hospital, located in Washington, DC. The conferees have been unable to determine any reason for providing this care in an area with such a high cost of living. The conferees expect the Community Relations Service to shift this operation to a facility in an area which can provide similar services, but at a lower cost. In anticipation of the savings to be had by this move, the conferees have reduced this appropriation by $600,000.

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INTERAGENCY LAW ENFORCEMENT

ORGANIZED CRIME DRUG ENFORCEMENT

Amendment No. 54: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following:

INTERAGENCY LAW ENFORCEMENT

ORGANIZED CRIME DRUG ENFORCEMENT

For necessary expenses for the detection, investigation, and prosecution of individuals involved in organized crime drug trafficking not otherwise provided for, $328,000,000, of which $50,000,000 shall remain available until expended: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the oganizations reimbursed from this appropriation: Provided, further, That any unobligated balances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in the succeeding fiscal year, subject to the reprogramming procedures described in section 606 of this Act.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $328,000,000 instead of $330,000,000 as proposed by the Senate. The conference agreement includes Senate language providing that funds obligated from this appropriation may be used under authorities available to the organizations receiving those funds. The House bill contained no similar provision.

The conference agreement also adds new language making $50,000,000 available until expended. This language was added to allow the Attorney General to reprogram funds amongst the various agencies if an agency identifies surplus amounts late in the fiscal year.

The conference agreement of $328,000,000, when added to the $6,941,000 to be transferred from the Special Forfeiture Fund for AUO, will provide for total reimbursements of $334,941,000 to OCDE agencies as follows:

Drug Enforcement Administration	$93,305,000
Federal Bureau of Investigation	89,941,000
Immigration and Naturalization Service	10,251,000
U.S. Marshals Service	1,082,000
U.S. Customs Service	25,750,000
Bureau of Alcohol, Tobacco and Firearms	9,981,000
Internal Revenue Service	33,995,000
Coast Guard	862,000
U.S. Attorneys	66,655,000
Criminal Division	702,000
Tax Division	1,194,000
Administrative Support	1,223,000

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

Amendment No. 55: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$1,690,962,000" named in said amendment insert the following: *$1,687,962,000*

and in lieu of the phrase "activities funded by this appropriation" in the last sentence of said amendment, insert the following: *construction of Pod C of the Engineering Research Facility at Quantico, Virginia*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $1,687,962,000 instead of $1,690,962,000 as proposed by the Senate, and includes language making funds previously provided for the Washington Field Office to be made available for construction of the final section of the FBI's Engineering Research Facility, instead of the Senate language which made these funds available for any FBI activity. The House included no such provision.

The conference agreement also includes Senate language, not in the House bill, which makes up to $25,000,000 for automated data processing and telecommunications, and $1,000,000 for undercover operations, available until September 30, 1992; which makes up to $8,000,000 for research and development available until expended; and which makes the following available: $500,000 for payments to State and local law enforcement agencies, $70,000 to meet unforeseen emergencies of a confidential character, $45,000 for official reception and representation expenses, and $7,500,000 for a language translation system. The conference agreement also includes Senate language, not in the House bill, authorizing the use of funds to procure passenger vehicles and aircraft, and inserts language proposed by the Senate to allow the FBI to establish and collect fees to process fingerprint identifications and name checks.

The conference agreement of $1,687,962,000, when added to the $4,548,000 to be transferred from the Special Forfeiture Fund for AUO, provides total fund availability of $1,692,510,000 for the FBI for fiscal year 1991, including the requested adjustments to base, less $275,000 associated with FAAS reimbursements.

The conference agreement provides for $87,837,000 in net program changes as follows:

Financial Institution Fraud Investigations	$49,098,000
Other White-collar crime	10,618,000
Other Field Programs	30,036,000
Organized Crime	4,119,000
Drug Programs	19,168,000
Technical Field Support	6,409,000
Other Program Increases	3,128,000
Requested Deficit Reduction	−27,322,000
AUO Absorption	−2,869,000
OMB Circular A-76 Reductions	0

The conference agreement also provides for total reimbursements to the FBI of $89,941,000 from the Organized Crime Drug Enforce-

ment appropriation, an increase of $38,446,000 over fiscal year 1990 levels.

The conference agreement includes language providing for the final phase of the construction of the Engineering Research Facility at the FBI Academy in Quantico, VA. Completion of this facility is critical for research and development of sophisticated surveillance and other technical equipment to support the FBI intelligence related activities and to enhance FBI and DEA drug investigations.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 56: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$696,900,000" named in said amendment insert: *$694,340,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $694,340,000 instead of $696,900,000 as proposed by the Senate, and includes Senate language which makes available the following: $70,000 to meet unforeseen emergencies, $1,800,000 for research, $4,000,000 for payments for information, $4,000,000 for ADP/telecommunications, $2,000,000 for laboratory equipment, $20,550,000 for aircraft, $10,000,000 for a new aviation facility, and $45,000 for official reception and representation expenses; and provides for the procurement of passenger vehicles. The House bill contained no similar provision.

The conference agreement of $694,340,000 provides for requested adjustments to base, less $3,100,000 associated with FAAS reimbursements, and allows for program changes of $119,199,000, as follows:

Domestic enforcement	$36,690,000
Special enforcement	13,674,000
Foreign cooperative investigations	4,877,000
State and local support	8,824,000
Intelligence programs	7,123,000
Purchase new aircraft	20,550,000
Construct new airwing facility	10,000,000
Other	17,461,000

The conferees concur with the Senate report concerning the need to ensure that increases in DEA staffing be equitably distributed among high intensity and rural areas. The conferees also understand there are concerns within the Department that support staff requirements have not kept pace with the growth in agent staffing. Reports have been received that in some field locations, DEA investigative reports are being accepted by local U.S. Attorneys in handwritten form due to a lack of DEA clerical support. It does not appear to be the most prudent use of resources to have journeymen special agents performing clerical duties instead of their investigative duties. The conferees believe steps must be taken to correct this imbalance.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

Amendment No. 57: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$883,501,000" named in said amendment insert: *$884,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreeement appropriates $884,000,000 instead of $883,501,000 as proposed by the Senate and includes Senate language which makes available the following: $50,000 to meet unforeseen emergencies, $400,000 for research, $17,188,000 for construction, and $5,000 for official reception and representation expenses. The conference agreement also includes Senate language providing authority to purchase vehicles and uniforms, and limiting the payment of overtime to $25,000. The House bill contained no similar provisions.

The conference agreement of $884,000,000, when added to the $2,637,000 transferred from the Special Forfeiture Fund for AUO, provides a total appropriation of $886,637,000 for the INS in FY 1991, which allows for requested adjustments to base, and program changes as follows:

Border Patrol	$16,327,000
Krome expansion	4,500,000
San Clemente checkpoint	10,000,000
Marathon/Alpine checkpoints	388,000
Brownfield/Ysleta border patrol stations	2,300,000
Purchase passenger vehicles	6,782,000
Automated fingerprint ID project	2,000,000
Machine Readable Visa project	3,000,000
Border Patrol special purpose vehicles	4,000,000
Other	2,056,000
Examinations fee shift	−25,133,000
AUO absorption	0
A–76 contracting out	0
Requested budget deficit reduction	−22,127,000

Administrative fines.—The conferees are aware of an increase in the violations of the various sections of Title 8 of the United States Code and the corresponding section of the Immigration and Nationality Act (INA). This growth in violations results from the ever-increasing number of passengers arriving in the United States for whom the airlines are in violation of the INA. For example, population statistics at one Immigration and Naturalization Service facility, Krome North Service Processing Center in Miami, Florida reveal that 83 percent of its detainees were excludables and should never have been transported to the United States. It can be concluded from this disclosure that the carriers would rather risk paying an administrative fine than bear the cost of properly screening their passengers destined for the United States. The conferees wish to place the airlines on notice that, unless there is an appreciable decline in the number of detentions resulting from im-

proper airline screening, the Congress may have to consider increases in the current fine structure.

Part-time inspectors.—The conferees have been made aware of a proposal by the INS to eliminate the use of part-time inspectors at airports and land border points of entry. The conferees are unaware of a need for this change, especially considering the irregular hours required of inspection work and the view, held by many, that part-time employees are the most economical way of handling workload associated with short-term peak hours of operation. The conferees expect the INS to notify the Committees on Appropriations of the House and Senate, in accordance with the reprogramming procedures outlined in section 606 of this Act, prior to implementation of any such proposal. Such notification should include the rationale for the change; the number, type and location of positions affected; and the cost impact.

INS case information system.—Conferees are pleased to learn that the Immigration and Naturalization Service is taking steps to improve services provided to the public through its field office structure. In particular, the new prototype on-line case information system in St. Albans, Vermont, holds forth the promise of providing more information to the public more rapidly. However, as the system is presently designed, its goal is not being fulfilled; the cumbersome manner in which callers are routed to the information they need is overly time-consuming and frustrating, especially for those wishing to contact the Service directly. The conferees encourage the Immigration Service to streamline this system and address the problems before it is expanded to other offices.

East European worker visa.—With the dramatic events transpiring in Eastern Europe, citizens there have looked eagerly to the United States for support in fostering their emerging democracies. One essential way that America can provide support is through training Eastern European workers to contribute toward the essential market reforms. Many times such training is only available in the United States. Unfortunately, delays in processing visas for such training unnecessarily stalls our contribution to the East European democratization.

The conferees are hopeful that the INS will devote attention toward developing a system which ensures that applications for training visas for Eastern Europeans can be processed as expeditiously as possible so that the United States can make a maximum contribution to on-going reforms with a minimum of delay.

Federal Prison System

SALARIES AND EXPENSES

Amendment No. 58: Inserts a heading as proposed by the Senate. The House bill contained no similar provision.

Amendment No. 59: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$1,359,843,000" named in said amendment insert: *$1,357,843,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $1,357,843,000 instead of $1,359,843,000 as proposed by the Senate, and includes language proposed by the Senate which limits to 330 the number of passenger vehicles to be purchased, allows for the transfer of funds for the medical relief of inmates to the Health Resources and Services Administration, provides for the purchase of uniforms and allows $3,000 for official reception and representation expenses. The House bill contained no similar provisions.

The conference agreement provides $1,357,843,000 for the Salaries and Expenses of the Federal Prison System for FY 1991, which provides for requested adjustments to base and built-in changes and for program changes as follows:

Activation of new facilities	$37,539,000
Improved staffing	89,119,000
Population adjustments	25,462,000
Contract confinement	1,000,000
A-76 Contracting out	0
Other	388,000

NATIONAL INSTITUTE OF CORRECTIONS

Amendment No. 60: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates $10,007,000 for the National Institute of Corrections—the full budget request. The House bill contained no similar provision.

The conferees are concerned that the Department of Justice has not moved forward with the proposed move of the National Academy of Corrections. The conferees continue to expect the Department to move forward with its plans to consolidate and relocate the Academy pursuant to the decision of the Justice Department's Site Selection Committee.

BUILDINGS AND FACILITIES

Amendment No. 61: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates $374,358,000 for Buildings and Facilities for fiscal year 1991 as proposed by the Senate. The conference agreement also includes language proposed by the Senate which allows for the use of U.S. prisoners for work performed at prisons, and provides for the transfer of up to 10 percent of the Buildings and Facilities appropriation to the Salaries and Expenses appropriation in the event of an emergency. The House bill contained no similar provisions.

The conference agreement provides $374,358,000 for the construction and expansion of Federal prisons—the full request for fiscal year 1991. These funds provide for a prison construction, expansion and modernization program as follows:

	Increased bed space	Funding
New Federal Prisons: Northeast correctional complex	1,960	$119,700,000
Medical center: Fort Worth long-term care	300	10,500,000

	Increased bed space	Funding
Expand existing facilities:		
Mid-Atlantic satellite camp	150	6,000,000
Big Spring, TX, satellite camp	150	4,500,000
Bryan, TX, housing unit	340	13,600,000
Tyndall, FL, camp expansion	75	3,000,000
El Paso, TX, camp expansion	150	6,000,000
Terre Haute, IN, segregation unit	100	6,100,000
Detention capacity:		
Northeast detention unit	350	37,500,000
Sheridan, OR, detention unit	150	10,800,000
Leavenworth, KS, detention unit	150	10,300,000
Butner, NC, detention unit	150	8,700,000
Memphis, TN, detention unit	150	9,700,000
El Reno, OK, detention unit	150	9,800,000
Seagoville, TX, detention unit	150	9,800,000
Acquire and convert active and closed military facilities	1,700	22,500,000
Other new construction		2,229,000
Modernization and Repair		83,629,000
Total	6,176	374,358,000

The conference agreement also includes language proposed by the Senate which will allow continuation in FY 1991 of the lease of a facility at Oklahoma City Airport. The conferees agree to allow this lease to continue on a test basis to determine the cost effectiveness of such an approach. The conferees expect the Bureau to keep the Committees on Appropriations apprised on a regular basis of the status of this project. The House bill contained no similar provision.

Seattle detention facility.—The conferees understand that the Bureau of Prisons plans to build a detention facility with a community corrections component in Seattle, WA. The conferees believe that plans for developing the community treatment centers should not go forward until an agreement is reached with State and local government officials.

Lower Mississippi Valley Delta Region.—The conferees are aware of the report of the Lower Mississippi Delta Development Commission concerning the economic and other problems of the delta region. In light of the findings of the Lower Mississippi Delta Development Commission, the conferees direct the Bureau of Prisons to evaluate carefully and report on the feasibility of helping alleviate the pervasive poverty in the delta region by the construction of Federal prisons there. This report should include a thorough consideration of the economic impact of construction of Federal correctional facilities in such economically depressed rural areas, including factors such as relative costs of site acquisition and construction compared to urban areas, differences in operating costs to the Bureau in such areas, and the effects on the regional economy of both construction and operations of the facilities. The Bureau of Prisons shall report back its findings and recommendations to the Committees on Appropriations of the House and Senate by March 1, 1991.

FEDERAL PRISON INDUSTRIES, INCORPORATED

Amendment No. 62: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which authorizes Federal Prison Industries to make expenditures necessary to carry out its programs. The House bill contained no similar provision.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Amendment No. 63: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which makes $3,167,000 available for administrative expenses, the amount requested in the budget. The House bill contained no similar provision.

ADMINISTRATIVE PROVISION

Amendment No. 64: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter inserted by said amendment insert the following:

ADMINISTRATIVE PROVISION

Federal Prison Industries, Inc., is authorized and directed to enter into a contract to carry out an independent market study at a cost not to exceed $250,000. The study shall be conducted by a private sector market analysis firm, that is not affiliated in any way with the Federal Prison Industries or the Bureau of Prisons. Federal Prison Industries is directed to report the results of this study to Congress not later than nine (9) months from the enactment (or effective date) of this Act. The study shall include an analysis and appropriate recommendations to Congress concerning the following:

1. identify potential new product lines for prison-made products, which will have a minimal impact on the private sector;

2. analyze the impact that Federal Prison Industries has had on certain private sector industries (furniture, textiles, printing, electronics and apparel) in terms of production levels, employment levels, and annual sales to Federal government departments and agencies;

3. provide, after consulting with the Department of Labor and the Department of Commerce, an estimate of the number of jobs displaced in the private sector (on an industry-by-industry basis) by the operation of Federal Prison Industries;

4. analyze whether Federal departments and agencies should consider placing limits on the market share that Federal Prison Industries can obtain in specific products or product lines; and

5. determine whether the current law governing Federal procurement from the Federal Prison Industries should be retained or revised.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language concerning a study on Federal Prison Industries, Inc. instead of similar language proposed by the Senate. The House included no similar provision.

The conference agreement includes language requiring the Federal Prisons Industries, Inc. to enter into a contract with a private market analysis firm for a study which analyzes and provides recommendations to Congress regarding the impact that Federal procurement from FPI has had on certain private sector industries; potential new product lines for prison-made products; and the need for changes in current law governing federal procurement from FPI.

The Federal Prisons Industries is currently required by statute to provide employment for the greatest number of inmates eligible to work, to diversify prison operations to the extent possible, and to conduct operations so as to avoid placing a burden of undue competition upon private enterprise.

The FPI is directed to provide the study to the Congress within nine months of enactment.

Office of Justice Programs

JUSTICE ASSISTANCE

Amendment No. 65: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$91,467,000" named in said amendment insert: *$87,916,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $87,916,000 instead of $92,321,000 as proposed by the House and $91,467,000 as proposed by the Senate.

Amendment No. 66: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum proposed in said amendment, insert: *$475,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $475,000,000 instead of $400,000,000 as proposed by the House and $490,000,000 as proposed by the Senate.

Amendment No. 67: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment insert the following: *, and in addition, $17,000,000 to remain available until expended, shall be available to the Director of the Federal Bureau of Investigation for the National Crime Information Center 2000 project: Provided, That notwithstanding any other provision of law, the grant limitation established in Section 504(f) of Part D of Title I*

of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by Public Law 100-690 (102 Stat. 4333), is hereby waived for fiscal year 1991 for grants awarded to state and local governments for the purpose of participating in multi-jurisdictional drug task forces

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides language making $17,000,000 of drug grant funding available for the NCIC 2000 project, in addition to the $475,000,000 provided separately for these grants. The Senate amendment provided $17,000,000 for the NCIC 2000 out of drug grant discretionary funds. The House bill included no such provision.

The conference agreement also includes language waiving the 4-year grant limitation on the use of anti-drug abuse grants for multi-jurisdictional drug task forces. The Senate amendment waived the 4-year rule for all projects. The House included no such provision. The conferees are particularly concerned about the need to allow continued funding for many of the multijurisdictional drug task forces which have proven to be one of the most useful tools in the war against drugs at the State and local level.

Amendment No. 68: Appropriates $75,300,000 for Juvenile Justice and Delinquency Prevention programs instead of $78,000,000 as proposed by the House and $72,601,000 as proposed by the Senate.

Amendment No. 69: Makes $3,500,000 available for youth gangs instead of $5,000,000 as proposed by the House and $2,000,000 as proposed by the Senate.

Amendment No. 70: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which deletes House language on Mariel Cubans and inserts prior year language on this matter. The conference agreement provides $4,963,000 for reimbursement to States for costs of incarcerating illegal aliens and certain Cuban nationals, requires that grants be made by April 1, 1991, and limits the amount of reimbursement per prisoner per annum to $12,000.

The following table shows the recommended amounts for fiscal year 1991 for Justice Assistance:

OFFICE OF JUSTICE PROGRAMS—JUSTICE ASSISTANCE

[In thousands of dollars]

Program/Activity	Fiscal year—				
	1990 post seq.	1991 request	1991 House	1991 Senate	1991 Conference
National Institute of Justice	22,766	24,524	27,929	24,524	23,929
Bureau of Justice Statistics	20,879	23,051	22,500	23,051	22,095
Emergency Assistance	9,927	0	0	0	0
(Prior year carryover)	0	(2,078)	(2,078)	(2,078)	(2,078)
Missing Children	3,971	7,971	7,971	7,971	7,971
Regional Info Sharing System	13,402	9,750	14,000	14,000	14,000
Management and Administration	19,163	19,921	19,921	19,921	19,921
Subtotal, new budget authority	90,108	85,217	92,321	89,467	87,916

OFFICE OF JUSTICE PROGRAMS—JUSTICE ASSISTANCE—Continued

[In thousands of dollars]

Program/Activity	Fiscal year—				
	1990 post seq.	1991 request	1991 House	1991 Senate	1991 Conference
Juvenile Justice Programs:					
Part A:					
Management and Administration	3,077	2,798	3,248	3,196	3,248
Federal effort	448	223	402	334	342
Part B: Formula grants	49,348	0	51,100	49,421	50,260
Part C: Discretionary grants	17,624	7,277	18,250	17,650	17,950
Part D: Youth Gangs	1,985	0	5,000	2,000	3,500
Subtotal, Juvenile Justice	72,482	10,298	78,000	72,601	75,300
Anti-Drug Abuse Grants:					
NCIC 2000	0		17,000	17,000	17,000
Formula grants	395,101	440,000	348,250	440,000	423,000
Discretionary grants	49,636	50,000	33,000	33,000	50,000
Management and Administration	2,000	2,000	1,750	2,000	2,000
Subtotal, Drug grants	446,737	492,000	400,000	492,000	492,000
Mariel Cubans	4,963	0	5,000	4,963	4,963
Total, new budget authority	614,290	587,515	575,321	659,031	660,179

Edward Byrne Memorial State and local law enforcement assistance.—The conference agreement provides $492,000,000 for fiscal year 1991 for the State and local drug control and system improvement grant programs.

The conference agreement provides for a total of $50,000,000 for discretionary grants, to include:

—Not less than $4,000,000 for innovative neighborhood-oriented policing projects in both urban and rural areas, of which $500,000 is for the National Neighborhood Crime and Drug Abuse Prevention Program of the Eisenhower Foundation, $100,000 is for the National Association of Town Watch, and $1,000,000 is for the National Crime Prevention Council's Community Drug Abuse Prevention Initiatives. The conferees expect these projects to be open to both nationally-based and local organizations.

—Not less than $3,000,000 for the National Crime Prevention Council to administer the National Crime Prevention Campaign.

—Not less than $1,200,000 for the Drug Abuse Resistance Education (DARE) program.

—Not less than $3,000,000 for the Organized Crime Narcotics (OCN) program to support regional organized crime task forces in order to foster Federal, State and local cooperations.

—Not less than $700,000 to support SEARCH Group, Inc. for their National Technical Assistance Program.

—Not less than $500,000 to expand the Criminal Drug Organization Project of the South Carolina State Grand Jury into a model for the Nation. The conferees believe this comprehensive focus, in which a State grand jury unit is solely dedicated to the investigation, indictment, and prosecution of drug and

pornography offenders, has proven to be an extremely effective law enforcement tool that should be made available to other States.

—Not less than $3,000,000 for continuation of the model Financial Investigations (Finvest) Program.

—Not less than $3,000,000 as a grant to the National Institute of Justice for the monitoring/evaluation of this grant program. The conferees believe increased monitoring is needed to ensure that funds are being spent by grant recipients. The conferees also believe that current reporting of the results of demonstration projects among local law enforcement agencies should be expanded in order to share the valuable lessons learned. The expanded reporting should include increased travel to review projects and the subjective assessment of programs.

Juvenile Justice and Delinquency Prevention Program (JJDPP).—The conference agreement provides $75,300,000 in fiscal year 1991 for JJDPP, an increase of $2,828,000 over amounts available in fiscal year 1990.

The conference agreement includes $17,950,000 for discretionary grants, of which $500,000 is to carry out the provisions of section 241(f) of the JJDP Act to provide financial and technical assistance to an organization representing the State Advisory Group (SAGs); $3,500,000 is to expand the program relating to juvenile gangs, drug abuse, and drug trafficking, of which $400,000 is for the Teen, Crime and the Community Program; $2,300,000 is for the National Council of Juvenile and Family Court Judges; $750,000 is for the Court-Appointed Special Advocate (CASA) program; and $3,200,000 is for the coordinated, Law-Related Education (LRE) program. The conferees expect that funding for LRE should continue to be provided by the same LRE organizations that have previously received funding.

The conferees are supportive of providing grants to local communities sponsoring projects to promote the involvement of juveniles in lawful activities and to reduce juvenile involvement in gang-related drug actvity, especially when those projects receive matching funds from State or local sources. The conferees understand that the City of Portland, Oregon, has developed, and is ready to initiate, a comprehensive demonstration project targeted for youth affected by street gangs in the Portland Metropolitan area, and has received $1,500,000 in matching State funds. The conference agreement provides at least $500,000 for a demonstration project, such as Portland's, which can then become a model for other cities with similar problems.

National Institute of Justice.—The conference agreement provides $23,929,000 in fiscal year 1991 for the National Institute of Justice (NIJ), which includes a base decrease of $537,000 associated with fiscal year 1990 studies, and provides $1,700,000 of the $1,758,000 requested for continuation of the study on less-than-lethal weapons.

Management and Administration.—The conference agreement provides a total of $25,169,000 for management and administration, to be derived as follows:

New budget authority	$19,921,000
Juvenile Justice, M&A	3,248,000

State and local grants, M&A	2,000,000
Total	$25,169,000

PUBLIC SAFETY OFFICERS BENEFITS.

Amendment No. 71: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides language making appropriations of "such sums as are necessary" instead of $26,075,000 as proposed by the House.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

Amendment No. 72: Inserts the heading "General Provisions—Department of Justice" as proposed by the Senate. The House bill contained no similar heading.

Amendment No. 73: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which adds a general provision, Section 201, contained in the previous appropriations Act with regard to official reception and representation expenses. The House bill contained no similar provision.

Amendment No. 74: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the phrase "During fiscal year 1991 and thereafter with respect" in the first sentence of subsection (b)(1) of said amendment, insert the following: *During fiscal year 1991 with respect*

and in lieu of the phrase "closed in fiscal year 1991 and each fiscal year thereafter—" in the first sentence of subsection (b)(4)(A) of said amendment, insert the following: *closed in fiscal year 1991—*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement adds a general provision (Section 202) authorizing FBI/DEA undercover activities for fiscal year 1991, instead of language proposed by the Senate which made such authority permanent. The House included no such provision.

Amendment No. 75: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which adds a general provision, Section 203, contained in previous appropriations acts, which precludes use of appropriated funds to pay for an abortion. The House bill contained no similar provision.

Amendment No. 76: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which adds a general provision, Section 204, contained in previous appropriations acts, precluding the use of appropriated funds to require anyone to perform or facilitate in any way the performance of an abortion. The House bill contained no similar provision.

Amendment No. 77: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which adds a general provi-

sion, Section 205, contained in previous appropriations acts, which requires the Bureau of Prisons to provide escort services for female prisoners seeking abortions. The House bill contained no similar provision.

Amendment No. 78: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which adds a general provision, Section 206, contained in previous appropriations acts, which makes available up to $100,000 to the Department for awards for information on domestic terrorism. The House bill contained no similar provision.

Amendment No. 79: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which adds a general provision, Section 207, which restores prior year language to continue through fiscal year 1991 the Federal match for the Edward Byrne Memorial State and Local Law Enforcement Assistance grants at the same match authorized for fiscal year 1990. The House bill contained no similar provision.

Amendment No. 80: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which adds a general provision, Section 208, which provides that funds transferred from the Assets Forfeiture Fund in fiscal year 1989 for prison construction may also be used for construction of U.S. Marshal and INS detention facilities. The House bill contained no similar provision.

Amendment No. 81: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which adds a general provision, Section 209, which prohibits the use of funds available in this appropriations act and the Special Forfeiture Fund for expenses of the proposed National Drug Intelligence Center (NDIC). The House bill contained no similar provision.

Amendment No. 82: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter inserted by said amendment insert the following:

SEC. 210. (a) Section 286 of the Immigration and Nationality Act of 1952 (8 U.S.C. 1356), as amended, is further amended—

(1) by inserting in subsection (e)(1), after the word "passenger" the phrase ", other than aircraft passengers,";

(2) by inserting ", except the fourth quarter payment for fees collected from airline passengers shall be made on the date that is ten days before the end of the fiscal year, and the first quarter payment shall include any collections made in the preceding quarter that were not remitted with the previous payment" after the words "in which fees are collected" in subsection (f)(3);

(3) by inserting ", within forty-five minutes of their presentation for inspection," after the word "provided" and before the words "when needed" in subsection (g);

(4) by striking the first two sentences of subsection (h)(1)(A) and inserting "There is established in the general fund of the

Treasury a separate account which shall be known as the 'Immigration User Fee Account'. Notwithstanding any other section of this title, there shall be deposited as offsetting receipts into the Immigration User Fee Account all fees collected under subsection (b) of this section, to remain available until expended" before the words "At the end of each 2-year period".

(5) by replacing the previously repealed subsection (1) with the following new subsection—

"(1) Report to Congress

In addition to the reporting requirements established pursuant to subsection (h), the Attorney General shall prepare and submit annually to the Congress, not later than March 31st of each year, a statement of the financial condition of the 'Immigration User Fee Account' including beginning account balance, revenues, withdrawals and their purpose, ending balance, projections for the ensuing fiscal year and a full and complete workload analysis showing on a port by port basis the current and projected need for inspectors. The statement shall indicate the success rate of the Immigration and Naturalization Service in meeting the forty-five minute inspection standard and shall provide detailed statistics regarding the number of passengers inspected within the standard, progress that is being made to expand the utilization of United States citizen by-pass, the number of passengers for whom the standard is not met and the length of their delay, locational breakdown of these statistics and the steps being taken to correct any non-conformity.".

(b) The amendment made by subsection (a)(1) of this section shall apply to fees charged only with respect to immigration inspection or preinspection services rendered in regard to arriving passengers using transportation for which documents or tickets were issued after November 30, 1990.

(c) Pursuant to section 202(b) of the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987, the amendments made by this section which transfer receipts from one fiscal year to the next are a necessary (but secondary) result of a significant policy change.

(d) Section 286 of the Immigration and Nationality Act of 1952 (8 U.S.C. 1356), as amended, is further amended—

(1) by inserting in subsection (m), after the phrase "shall be deposited" the phrase "as offsetting receipts";

by inserting in subsection (m), after the phrase"the treasury of Guam" the following: ": Provided further, That fees for providing adjudication and naturalization services may be set at a level that will ensure recovery of the full costs of providing all such services, including the costs of similar services provided without charge to asylum applicants or other immigrants. Such fees may also be set at a level that will recover any additional costs associated with the administration of the fees collected";

(3) by inserting a new subsection after subsection (p) as follows:

"(q) Land Border Inspection Fee Account

(1) Notwithstanding any other provision of law, the Attorney General is authorized to establish, by regulation, a project under which a fee may be charged and collected for inspection services provided at one or more land border points of entry.

Such project may include the establishment of commuter lanes to be made available to qualified United States citizens and aliens, as determined by the Attorney General.

(2) All of the fees collected under this subsection shall be deposited as offsetting receipts in a separate account within the general fund of the Treasury of the United States, to remain available until expended. Such account shall be known as the Land Border Inspection Fee Account.

(3)(A) The Secretary of the Treasury shall refund, at least on a quarterly basis amounts to any appropriations for expenses incurred in providing inspection services at land border points of entry. Such expenses shall include—

(i) the providing of overtime inspection services;

(ii) the expansion, operation and maintenance of information systems for nonimmigrant control;

(iii) the hire of additional permanent and temporary inspectors;

(iv) the minor construction costs associated with the addition of new traffic lanes (with the concurrence of the General Services Administration);

(v) the detection of fraudulent documents used by passengers travelling to the United States;

(vi) providing for the administration of said account.

(B) The amounts required to be refunded from the Land Border Inspection Fee Account for fiscal years 1992 and thereafter shall be refunded in accordance with estimates made in the budget request of the Attorney General for those fiscal years: Provided, That any proposed changes in the amounts designated in said budget requests shall only be made after notification to the Committees on Appropriations of the House of Representatives and the Senate in accordance with Section 606 of Public Law 101-162.

(4) The Attorney General will prepare and submit annually to the Congress statements of financial condition of the Land Border Immigration Fee Account, including beginning account balance, revenues, withdrawals, and ending account balance and projections for the ensuing fiscal year.

(5)(A) The program authorized in this subsection shall terminate on September 30, 1993, unless further authorized by an Act of Congress.

(B) The provisions set forth in this subsection shall take effect 30 days after submission of a written plan by the Attorney General detailing the proposed implementation of the project specified in subsection (q)(1).

(C) If implemented, the Attorney General shall prepare and submit on a quarterly basis, until September 30, 1993, a status report on the land border inspection project.".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The Senate amendment added a new general provision (Sec. 210) which (a) corrects a fundamental inequity in the existing airport inspection user fee program by charging all air passengers equally for immigration inspection services provided, (b) scores the fees as offsetting receipts, and (c) imposes, as a compliance standard, the

requirement that all passengers arriving in U.S. air terminals be cleared by the Immigration and Naturalization Service within 45 minutes of their presentation for inspection under present airline schedules. The House bill contained no such provisions.

The conference agreement accepts the Senate language, and adds new language as follows:

Examinations Fee Account—Subsection (d)(1) provides that adjudications and naturalization fees be deposited into the Examinations Fee Account as offsetting receipts. Subsection (d)(2) allows the Department to establish adjudications and naturalization fees at a level that will ensure recovery of the full costs of the program, to include the overseas program and administration.

Land Border Inspections Pilot Project—Subsection (d)(3) establishes a pilot project to study the feasibility of charging fees to enhance services at land border points of entry. The conferees are aware of problems at land border entry points to the United States from both Canada and Mexico resulting in one to two hour delays at certain times of the day. Extensive delays are both costly and irritating to the tens of thousands of individuals who cross the borders on a daily basis. The need to speed up the inspection of vehicles and passengers at these stations must be counterbalanced by the need to halt the flow of illegal drugs and illegal aliens into the country. These delays could be significantly reduced by the INS, with no impact on the interdiction of illegal drugs and aliens, through the use of some innovative, automated procedures, and by the expansion of the number of inspectors. The major impediment to these improvements is a lack of appropriated funds to pay the necessary expenses to enhance services. At a time of increasing budgetary constraints, it is difficult for the Congress to maintain ongoing programs, let alone fund new ones.

The conferees agree that the only available means of financing needed improvements at border crossing ports is by charging the users for the cost to enhance services. There are numerous proposals for improvements which the conferees believe will reduce delays for all individuals, while not imposing a financial burden on those who can least afford it. One such proposal is to charge an annual fee to certain pre-approved individuals who would be allowed to utilize an expedited commuter lane. Fees collected from these individuals would be used first, to pay for the costs of establishing the commuter lanes, and then, to add additional inspectors to improve the service for the remaining individuals.

There are other proposals which may also prove feasible, especially since each border entry point has its own unique problems, and what works at one entry point may not work at another. In order to allow for a test of the efficacy of this concept and the various proposals, the conferees have included bill language which will allow the Attorney General to establish a pilot project under which user fees may be charged, and to utilize those fees only to enhance inspection services.

The conferees agree that this pilot project should be developed by the Attorney General in consultation with the Secretary of the Treasury, as well as the Congress. The conference agreement includes language requiring the Attorney General to provide a report to the Committees on Appropriations identifying the proposed pilot

project no less than 30 days prior to its implementation. Implementation of the pilot project is to be subject to the reprogramming procedures of the Committees on Appropriations. The conferees also agree that this pilot project should last until September 30, 1993, and that the Attorney General shall provide quarterly reports on the status of the pilot project to the Committees on Appropriations of the House and Senate. In addition, the conferees believe that the pilot project should take place at several points on both the Northern and Southern borders in order to ascertain the impact on various geographic areas.

Amendment No. 83: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following:

SEC. 211. Notwithstanding any other provision of law, in the specific case involving the Iowa Power Inc. and Redlands, Inc. ownership within the proposed Walnut Creek NWR, condemnation is authorized to determine the just compensation of the Iowa Power Inc. and Redlands Inc. lands, provided there is agreement by both parties involved.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement deletes language proposed by the Senate which prohibits the Department of Justice from engaging in litigation or other action involving the requiring of the Aspen-Pitkin County Airport, CO, to adjust its curfew to a single time for all types of aircraft using the airport.

Aspen/Pitkin County Airport—The conferees recognize that the Aspen/Pitkin County Airport's (Sardy Field) curfew is from the one half hour after sunset to 7:00 a.m. Nearly twelve years ago, commercial carriers negotiated a waiver of this restriction to permit commercial service operations up to 11:00 p.m. In exchange for this waiver and to insure safe operations, commercial operators installed private navigational aids, and agreed to require certain aircraft performance standards, as well as special pilot training and experience, to perform after-dark operations at Sardy Field. In addition, the costs of operating the airport's Index A Crash Fire Rescue capability after the official curfew is borne by the commercial service companies.

The conferees are aware that the Federal Aviation Administration recently initiated proceedings to force Pitkin County to permit operations for general aviation aircraft after dark. These proceedings have included the withholding of Airport Improvement Program entitlement funds and grants, as well as the threat of litigation.

The conferees believe that the interest of the people of Pitkin County and the Federal Government would be best served by a negotiated solution, rather than litigation conducted by the Department of Justice, at the request of the Federal Aviation Administration.

Walnut Creek Refuge—The conference agreement adds new language, not in either bill, dealing with the condemnation procedures for the Walnut Creek Refuge.

The U.S. Fish and Wildlife Service is in the process of obtaining land for the Walnut Creek Refuge.

Even though the U.S. Fish and Wildlife Service is not condemning any land for this project, one of the owners, Redlands Inc., has agreed to sell their land for a price to be determined through procedures normally used in condemnation. The provision in the bill permits the parties to use those procedures to settle a difference of opinion concerning the price in this specific case.

Amendment No. 84: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following:

SEC. 212. (a) Notwithstanding any other provision of law, for fiscal years 1991 and 1992, the provisions of the Office of Management and Budget Circular A-76 and any similar provisions in any other order or directive shall not apply to activities conducted by the Federal Bureau of Prisons, Federal Bureau of Investigation, Drug Enforcement Administration, Immigration and Naturalization Service, United States Attorneys, United States Marshals Service, the Office of Justice Programs, the Office of Inspector General, and any of the litigating activities of the Department of Justice, unless such provisions are specifically approved by an Act of Congress.

(b) For fiscal years 1991 and 1992, no reduction in resources for the Justice Department activities described in subsection (a) shall be effected pursuant to the provisions of the Office of Management and Budget Circular A-76 or any similar provision in any other order or directive unless specifically provided therefor by an Act of Congress.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The Senate amendment added a new general provision (Sec. 212) which restricted the authority of the Office of Justice Programs to contract out certain positions pursuant to OMB Circular A-76. The House bill contained no similar provision.

The conference agreement expands the Senate's contracting out prohibition to include all of the law enforcement and litigating activities of the Department of Justice, unless such contracting out proposals are specifically approved by Congress. The conferees have been made aware of serious doubts concerning the propriety of privatizing many of the functions relating to the administration of justice, particularly the law enforcement and litigating activities of the Department of Justice. The enforcement of Federal law is an inherently governmental function which should not be contracted out to private industry. Furthermore, there are concerns that, after a decade in existence, in many instances, contracting out programs have failed to produce both desired management improvements and projected savings. Under the conference agreement, no positions, workyears or associated funding for the law enforcement and litigating components of the Department of Justice associated with contracting out initiatives can be reduced unless specifically ap-

proved by the Congress. The conferees agree that it is incumbent upon the Administration to prove that future privatization proposals will produce savings and management improvements before such proposals are submittted to and approved by the Congress.

TITLE III—DEPARTMENT OF STATE

Administration of Foreign Affairs

SALARIES AND EXPENSES

Amendment No. 85: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which adds the words "international agreement and binational contracts" to the bill language, thus making the appropriation available for expenses pursuant to these matters. The House bill contained no similar provision.

The conferees note that a number of legislative provisions necessary for the orderly administration of several Department of State appropriations accounts, which have been included in the Department of State Appropriations Acts for many years, are again included in the Department's Appropriations Act under this conference agreement. The conferees strongly urge the appropriate legislative committees of the Congress to consider legislation as soon as possible to provide a permanent authorization for these items. The House and Senate Appropriations Committees will be pleased to consult with the legislative committees to provide whatever assistance is required concerning this matter.

Amendment No. 86: Appropriates $1,860,017,000 as proposed by the Senate instead of 1,872,279,000 as proposed by the House. The conference agreement also includes a total of $1,528,000 in fee collections for the use of the Department as provided in Amendments Nos. 88, 90 and 91. The conference agreement also provides in Amendment No. 100 for certain transfer authority, subject to the Appropriations Committees' reprogramming procedures that could provide additional funds to this account, not to exceed $1,872,279,000 plus the fee collections.

The conference agreement includes up to $6,400,000 for the continuation of the machine readable visa project. This account includes up to $4,000,000 in the budget request and $2,400,000 in carryover funds from fiscal year 1990.

The conference agreement also includes up to $900,000 for the Latin American data base.

The conferees support the efforts of the Department to develop highly sensitive explosive detection machines for the protection of U.S. embassies and consulates. The conferees understand that final testing will be completed on this project in 1991. The conferees anticipate that the Department of State will consider including an appropriate amount for this program in its fiscal year 1992 budget request.

Amendment No. 87: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *of which not to exceed $2,000,000 may be available for rewards, and to publicize the availability of rewards, as authorized by section 36 of the State Department Basic Authorities Act, as amended (22 U.S.C. 2708), and in addition*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement earmarks not to exceed $2,000,000 of the Salaries and expenses appropriation which may be available for rewards as authorized by the State Department Basic Authorities Act and adds the words to the appropriations language "and in addition". The House bill proposed the language "and in addition". The Senate amendment deleted this language, earmarked $2,000,000 which was required to be available for rewards as authorized by the State Department Basic Authorities Act and added the language "and of which".

Amendment No. 88: Earmarks $500,000 for certain registration fees as proposed by the Senate instead of $250,000 for this purpose as proposed by the House.

Amendment No. 89: Provides the language "in addition" as proposed by the House instead of the language "of which" as proposed by the Senate.

Amendment No. 90: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides that $1,013,000 shall be available for certain registration fees instead of providing $500,000 for this purpose without requiring that they shall be available as proposed by the House.

Amendment No. 91: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following: , *and in addition not to exceed $15,000 shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities in accordance with section 46 of the State Department Basic Authorities Act of 1956 (section 119 of Public Law 101-246), and of the total amount appropriated in this paragraph, $350,000 may be available for the purpose of preparations for the 1992 United Nations Conference on Environment and Development*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides language which makes $15,000 in certain fees available for the use of Blair House in accordance with law and provides that, of the total amount appropriated under Salaries and Expenses, $350,000 may be used for preparing for the 1992 United Nations Conference on Environment and Development. The conference agreement is substantially the same as the Senate amendment except for certain technical changes. The House bill contained no similar provision.

Amendment No. 92: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment, insert: *: Provided, That the obligation of funds for the Department of State Telecommunications Network (DOSTN) shall be subject to the reprogramming provisions of section 606 of this Act: Provided further, That the Secretary of State shall submit a report to the appropriate committees of the Congress not later than December 1, 1990, which justifies the requirement for the Department of State Telecommunications Network (DOSTN)*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides language which requires that the obligation of funds for the Department of State Telecommunications Network (DOSTN) shall be subject to the reprogramming provisions of section 606 of this Act and requires the Secretary of State to submit a report to the appropriate committees of the Congress not later than December 1, 1990 which justifies the requirement for DOSTN. The Senate amendment would have provided language that would have prohibited and obligation of funds for porocurement of DOSTN before February 15, 1991, would have made the obligation of funds for DOSTN subject to the reprogramming provisions of section 606 of this Act, and would have required the Secretary of State to submit a report to the appropriate committees of the Congress at least 15 days prior to February 15, 1991. The House bill contained no provision in this matter.

The State Department budget request for fiscal year 1991 includes $30,248,000 for the Department of State Telecommunications Network (DOSTN) Program. This program is intended to modernize and improve the capabilities, cost effectiveness, and flexibility of leased communications services supporting diplomatic facilities and operations worldwide. While the conferees have supported DOSTN, serious questions have arisen regarding the proper mix of Government-owned and leased communications services at diplomatic facilities abroad, and the degree to which such systems should be interoperable.

While the conferees are concerned about certain aspects of DOSTN, they are reluctant to withhold fiscal year 1991 funding as this would cause a serious delay to the entire program. The conferees note that the Department does not intend to award a DOSTN contract until February 1991. This would appear to provide sufficient time for the Department to review DOSTN plans and, if necessary, revise them to take into account any concerns.

Due to the constraints on the bill, the conference agreement includes the base amount of $15,000,000 for DOSTN, which the Department has indicated will be sufficient to meet fiscal year 1991 requirements. The conferees have included language in the bill that makes funds for DOSTN subject to the established reprogramming procedures of the Appropriations Committees. The conference agreement also requires the Secretary of State to prepare a report to the appropriate congressional committees no later than December 1, 1990, addressing the following: (1) the extent to which Government-owned communications capabilities can meet DOSTN requirements; (2) the current 1990 mix of Government-owned and leased data and voice communications services at each major diplomatic facility abroad; (3) the requirements that have been identi-

fied to improve such services in the future; (4) the current Diplomatic Telecommunications Service plan for meeting such requirements through Government-owned and DOSTN leased services; and (5) the extent to which Government-owned and DOSTN leased services will be interoperable.

International Organizations and Conferences

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

Amendment No. 93: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which adds the word "conventions" to the bill language, thus enabling the United States to meet annual obligations of membership in international multilateral organizations pursuant to conventions. The House bill contained no similar provision.

International Boundary and Water Commission, United States and Mexico

Amendment No. 94: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides a limitation of $6,000 for representation expenses of the Commission. The House bill contained no similar provision.

American Sections, International Commissions

Amendment No. 95: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides for a limitation of $9,000 for representation expenses of the International Joint Commission.

International Fisheries Commissions

Amendment No. 96: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates $12,147,000 and waives section 15(a) of the State Department Basic Authorities Act and permits the U.S. share of the Commissions' expenses to be paid in advance, instead of $11,440,000 without any such provisions as proposed by the House.

The conference agreement includes sufficient funds to maintain the fiscal year 1990 funding level for the Sea Lamprey control program of the Great Lakes Fishery Commission.

Other

UNITED STATES BILATERAL SCIENCE AND TECHNOLOGY AGREEMENTS

Amendment No. 97: Appropriates $4,500,000 instead of $5,000,000 as proposed by the House and $4,000,000 as proposed by the Senate. The conference agreement includes $2,000,000 for the science and technology agreement with Yugoslavia, $2,000,000 for the agreement with Poland and $500,000 for the agreement with Hungary.

SOVIET-EAST EUROPEAN RESEARCH AND TRAINING

Amendment No. 98: Appropriates $4,600,000 as proposed by the Senate instead of $4,784,000 as proposed by the House.

FISHERMEN'S GUARANTY FUND

Amendment No. 99: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates $900,000 for the Fishermen's Guaranty Fund, including $450,000 derived from receipts collected pursuant to the Fishermen's Protective Act of 1967. The House bill contained no similar provision.

GENERAL PROVISIONS—DEPARTMENT OF STATE

Amendment No. 100: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 302. (a) Not to exceed .5 per centum of the appropriation, Administration of Foreign Affairs, "Salaries and expenses" may be transferred to Administration of Foreign Affairs, "Emergencies in the Diplomatic and Consular Service" or International Organizations and Conferences, "International Conferences and Contingencies" but no such appropriation shall be increased by more than 35 per centum by any such transfer: Provided, That the Department shall follow the normal reprogramming procedures of the Senate and House Appropriations Committees before obligating or expending any funds so transferred.

(b) Funds appropriated in this Act under the heading "Contributions to International Organizations" for payment to the United Nations or any of its specialized agencies, which are not made available to the United Nations or any such specialized agency due to the operation of any provision of this or any other Act, may be transferred to any account under the heading "Administration of Foreign Affairs", notwithstanding any other provision of law: Provided, That the Department shall follow the normal reprogramming procedures of the Senate and House Appropriations Committees before obligating or expending any funds so transferred.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes a general provision for the Department of State which permits the Department to transfer up to .5 percent of the Salaries and expenses account to the Emergencies in the Diplomatic and Consular Service account or to the International Conferences and Contingencies account provided that the Department may not increase either account by more than 35 percent by such a transfer and would have to follow the Appropriations Committees' reprogramming procedures before obligating or expending any funds transferred under this provision. The conference agreement is the same as the Senate bill except that the receiving account may be increased by not more than 35 percent in-

stead of 25 percent as proposed by the Senate. The House bill contained no provision on this matter.

The conference agreement also includes a provision not in either the House or Senate bill which permits funds appropriated in the Act for Contributions to International Organizations which are not available for payment to the United Nations or any of its specialized agencies due to certain statutory restrictions to be transferred to any account under the heading "Administration of Foreign Affairs" subject to the reprogramming procedures of the Appropriations Committees before any funds so transferred may be obligated or expended.

In recognition of the high priority placed on payment of the United States assessed contributions to the United Nations and its specialized agencies, the conference agreement includes funds under the heading "Contributions to International Organizations" sufficient to pay to the United Nations and each of such agencies the full assessment for the current year and 20 percent of the outstanding arrearages owed by the United States to each such entity. At the same time, in order to remain within the amounts allocated for the State Department accounts, it has been necessary to reduce the funding made available to the Department's operational accounts. The conferees recognize that several provisions of law restrict the ability of the Department to provide full assessments and arrearages to the UN and its specialized agencies; e.g., section 405 (concerning budget and other reforms) and section 414 (concerning membership status of the PLO) of P.L. 101-246; and section 114(a) of P.L. 98-164, as amended (concerning, among other things, projects whose primary purpose is to benefit the PLO or SWAPO). Therefore, this transfer authority is provided, subject to the Appropriations Committees' reprogramming procedures, to allow the Department to transfer to any account under the heading "Administration of Foreign Affairs" any funds that are not paid to the entity for which they were appropriated (as indicated in the State Report) because of the operation of these or similar laws. However, the conferees are agreed that before any transfer is proposed, the first priority for use of any funds which are not paid to the entity for which they were appropriated because of these restrictions should be payment of additional arrearages to other organizations or taking care of currency losses within the Contributions to International Organizations account. The conferees are further agreed that any proposed transfer to the Salaries and Expenses account should not cause the total amount available for fiscal year 1991 to exceed the amount in the House bill ($1,872,279,000 plus $1,528,000 in fee collections as stipulated in the conference agreement).

Amendment No. 101: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides language that terminates the requirement for fiscal year 1991 to produce the semi-annual report required under Section 5 of Public Law 94-304. That legislation requires a semi-annual and annual report on the degree of compliance with the Helsinki accords by the CSCE signatories. Because of improved conditions in Eastern Europe and the Soviet Union, the State Department has recommended and the Commission on Security and Cooperation in

Europe has approved, producing this report on an annual basis only in fiscal year 1991. The House bill contained no similar provision.

Amendment No. 102: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which amends certain provisions of the Department of State Authorization Act, Fiscal Years 1984 and 1985 to provide a $50,000 appropriation for a new British-American Parliamentary Group. The House bill included no similar provision.

TITLE IV—THE JUDICIARY

Supreme Court of the United States

SALARIES AND EXPENSES

Amendment No. 103: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates $19,029,000 as proposed by the Senate instead of $18,807,000 as proposed by the House. The Senate amendment also adds language, not in the House bill, which authorizes up to $10,000 for official reception and representation expenses.

The conference agreement provides for the full amount requested, less $195,000 associated with absorption of one-half of the fiscal year 1991 pay raise.

CARE OF THE BUILDING AND GROUNDS

Amendment No. 104: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which makes $1,106,000 of the appropriations provided available until expended for major repair projects. The House bill contained no similar provision.

The conference agreement provides for the full budget request, as recommended by both the House and the Senate.

United States Court of Appeals for the Federal Circuit

SALARIES AND EXPENSES

Amendment No. 105: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following: *$9,711,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $9,711,000 which provides for the full budget request less $55,000 associated with absorption of one-half of the FY 1991 pay raise, instead of $9,590,000 as proposed by the House and $9,304,000 as proposed by the Senate.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

Amendment No. 106: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$1,598,623,000" named in said amendment insert the following: *$1,589,124,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $1,589,124,000 instead of $1,575,320,000 as proposed by the House and $1,598,623,000 as proposed by the Senate.

The conference agreement also includes Senate language contained in previous appropriations acts which allows the Courts to obligate funds for the purchase of firearms, ammunition, books and periodicals, and adds new language proposed by the Senate which allows up to $61,045,000 to remain available until expended for space alteration projects. The House bill contained no similar provision.

The conferees have been made aware of the large number of unanticipated vaccine injury cases filed just prior to the September 30, 1990 deadline. In order to accommodate the associated workload increase on the Special Masters, the conferees agree that up to $600,000 in appropriated funds shall be available in the event the $1,500,000 transferred from the Vaccine Injury Trust Fund is insufficient to process the claims within the time constraints provided for in law.

This appropriation account will have a total of $1,651,693,000 available for obligation in fiscal year 1991 as follows:

New budget authority	$1,589,124,000
Transfer from Fees and Jurors	4,919,000
Reimbursements:	
Vaccine Injury Fund	1,500,000
Crime Victims Fund	2,200,000
Immigration Exam Fund	2,800,000
Subtotal	6,500,000
Fee Accounts:	
Registry Fee	4,400,000
Civil Filing Fee	7,000,000
Public Access Fee	.....
Bankruptcy Fees	39,750,000
Subtotal	51,150,000
Total obligational authority	1,651,693,000

The $1,651,693,000 provided by the conference agreement allows for requested adjustments to base and built-in changes, adjusted as follows:

	Request	Conference
Absorption of 1/2 of FY 91 pay raise	$17,500,000	$8,750,000
Restoration of FY 1990 sequestration	15,747,000	
Shortfall in fee collections		5,450,000
Immigration naturalization expenses	1,700,000	

The conference agreement also allows $103,920,000 for workload/program adjustments, as follows:

Magistrates (+22)/recalled bankruptcy judges and supporting personnel (+67 positions)	$13,130,000
Additional court personnel (+876 positions)	10,520,000
Probation/Pretrial Services (+458 positions)	6,635,000
Contract pretrial services	2,800,000
Space and Facilities	33,800,000
Drug Dependent Offenders program	9,250,000
Electronic Monitoring Services	3,650,000
Court automation (+35 positions)	20,750,000
Crime/drug initiative	1,400,000
Court Library ($190,000)/Mental Health ($375,000)/Child Care ($375,000)/Court Appointed Counsel ($25,000)/Audits ($250,000)/Training ($200,000)/Electronic court recording ($570,000)	1,985,000

The conference agreement appropriates $20,750,000 for court automation. The conferees expect that this full amount will be deposited into the Judiciary Automation Fund.

The conference agreement provides $1,100,000 in the base for training of court personnel in fiscal year 1991 for reimbursement to the Federal Judicial Center. The Director of the Administrative Office, under the direction of the Judicial Conference should identify operational training requirements of court support personnel and reimburse the Center from funds appropriated herein for any unfunded costs necessary to perform this training requirement.

The conference agreement assumes that a total of $2,800,000 will be reimbursed to the Courts by the Immigration and Naturalization Service from the Immigration Examinations Fee Account to fully offset Court costs associated with naturalization and citizenship cases. The conferees expect the INS to transfer appropriate amounts to the Administrative Office of the U.S. Courts on a quarterly basis.

The conference agreement assumes the following amounts will be available from fee collections.

ESTIMATED JUDICIARY FEES AND REIMBURSEMENTS

[In thousands of dollars]

	Fiscal year—				
		1991			
	1990 actual	Request	House	Senate	Conference
Reimbursements:					
Vaccine Injury Fund	1,500	2,500	1,500	1,500	1,500
Crime Victims Fund	2,200	2,200	2,200	2,200	2,200
Immigration Exam Fund	982	900	2,800	2,800	2,800
Subtotal Reimbursement	4,682	5,600	6,500	6,500	6,500

ESTIMATED JUDICIARY FEES AND REIMBURSEMENTS—Continued

[In thousands of dollars]

	Fiscal year—				
	1990 actual	1991			
		Re-qu-	House	Senate	Confer-ence
Fee Collections:					
Registry Administration	4,400	12,000	3,500	3,500	4,400
Civil Filing Fee	6,900	7,500	7,500	7,500	7,000
Public Access (ADP)	0	0	0	0	0
Bankruptcy:					
Noticing	4,600	4,100	4,250	4,250	4,750
Filing	17,700	22,000	22,000	22,000	23,300
Motion—Auto Stay	9,000	11,000	11,000	11,000	11,700
Deconsolidation	0	0	0	0	0
Cross Appeal Docket	0	0	0	0	0
Subtotal Fees	42,600	56,600	48,250	48,250	51,150
Total Fees/Reimbursements	47,282	62,200	54,750	54,750	57,650

The conferees expect that any changes to these amounts will be handled in accordance with the reprogramming procedures set out in Sec. 606 of this Act.

The conferees have been informed that the Judicial Conference of the United States, as authorized by 28 USC 735(b), plans to increase the maximum charged to the government by court reporters for transcripts. The conferees understand that these rates could rise by as much as 50 percent and that affected agencies have not had an opportunity to budget for the increased costs. The conferees have no objection to a reasonable increase in rates, if warranted, but believe it should be delayed until fiscal year 1992 to allow for proper budget lead time.

DEFENDER SERVICES

Amendment No. 107: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter inserted by said amendment insert the following: *the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel, the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences, and*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides language included in prior year acts which provides for compensation of attorneys in criminal cases where representation is waived, and for travel expenses for guardians *ad litem*. These language provisions were included in

Senate amendments 107 and 108. The House bill contained no similar provisions.

Amendment No. 108: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following: *$132,761,000,*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides an appropriation of $132,761,000 instead of $137,569,000 as proposed by the House and $135,269,000 as proposed by the Senate.

The conference agreement, when combined with fiscal year 1990 carryover amounts of $21,000,000, will allow for the following growth over fiscal year 1990 obligations:

Pay Raises	$1,500,000
Public Defenders	13,200,000
Community Defenders	1,600,000
Panel Attorneys	11,400,000
Additional transcripts	800,000
Education/training	300,000
Death Penalty Resource Centers	2,000,000

FEES OF JURORS AND COMMISSIONERS

(INCLUDING TRANSFER OF FUNDS)

Amendment No. 109: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following: *, to remain available until expended: Provided, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code: Provided further, That not to exceed $81,000 of the amounts appropriated herein shall be transferred to "Salaries and expenses", United States Court of International Trade, and not to exceed $4,919,000 of the amounts appropriated herein shall be transferred to "Salaries and expenses", Courts of Appeals, District Courts, and Other Judicial Services*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes the Senate language, which makes funds available until expended and which restores prior year language concerning rates of pay for land commissioners. The House bill contained no such provision.

The conference agreement also adds new language, not in the House or Senate bills, which transfers unanticipated surplus amounts of $5,000,000 to other Judiciary accounts.

COURT SECURITY

Amendment No. 110: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede

and concur in the Senate amendment with an amendment as follows:

In lieu of the sum named in said amendment insert the following: *$71,261,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $71,260,000 as proposed by the House instead of $72,261,000 as proposed by the Senate. The conference agreement also includes Senate language, not in the House bill, which allows funds to be spent on the Judicial Security Program.

The conference agreement of $71,261,000 provides for requested adjustments to base, less $601,000 associated with the proposed restoration of FY 1990 sequestration amounts. The conference agreement provides for program increase of $2,148,000 for security systems and equipment, and $6,279,000 for Contract Security Officers.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

Amendment No. 111: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$37,178,000" named in said amendment insert: *$37,400,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $37,400,000, instead of $37,712,000 as proposed by the House and $37,178,000 as proposed by the Senate. The conference agreement also restores language contained in previous appropriations acts which allows funds to be available for advertising and rent, and for official reception and representation expenses. The House bill contained no similar provision.

The conference agreement provides for requested adjustments to base and built-in changes, less $309,000 associated with sequestration restoration and allows for program increases of $222,000.

The conference agreement includes up to $90,000 to allow the Administrative Office to centrally procure subscriptions of the Federal Sentencing Reporter for Federal judges, magistrates, probation officers and law libraries when requested. This publication is especially important as an aid in understanding and interpreting Sentencing Guidelines.

GENERAL PROVISIONS—THE JUDICIARY

Amendment No. 112: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which adds a general provision, Sec. 402, contained in previous appropriations acts which authorizes appropriations for the Temporary Emergency Court of Appeals and the Special Court established under the Regional Rail

Reorganization Act of 1973. The House bill contained no similar provision.

Amendment No. 113: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts a general provision, Sec. 403, which makes funds appropriated to the Judiciary available for the Judicial Conference to sponsor and host the Fifth International Appellate Judges Conference in the United States. The House bill contained no similar provision.

Amendment No. 114: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts a general provision, Sec. 404, which authorizes the Judicial Conference to prescribe reasonable fees for public access to case information through automatic data processing equipment, and deposit such fees into the Judiciary Automation Fund.

TITLE V—RELATED AGENCIES

Department of Transportation

Amendment No. 115: Inserts heading as proposed by the Senate. The House bill contained no similar provision.

Maritime Administration

Amendment No. 116: Inserts a heading as proposed by the Senate. The House bill contained no similar provision.

OPERATING-DIFFERENTIAL SUBSIDIES

(LIQUIDATION OF CONTRACT AUTHORITY)

Amendment No. 117: Reported in technical disagreement. The managers on the part of the House will move to concur in the amendment of the Senate which appropriates $261,200,000 to liquidate contract obligations incurred for operating-differential subsidies of American flag vessels. The House bill contained no similar provision.

OPERATIONS AND TRAINING

Amendment No. 118: Reported in technical disagreement. The managers on the part of the House will move to concur in the amendment of the Senate with an amendment as follows:

In lieu of the first sum named in said amendment, insert: *$69,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $69,000,000 in new budget authority for operations and training instead of $69,685,000 as proposed by the Senate. The conference agreement also includes provisions of the Senate bill that permit $1,100,000 to be derived from unobligated balances of the "Ship Construction" appropriation, allow reimbursements to be made to this appropriation from the Federal Ship Financing Fund for certain administrative expenses, and transfer the unexpended balances from the "Research and De-

velopment" appropriation to the "Operations and Training" appropriation. The House bill contained no similar provisions.

READY RESERVE FORCE

Amendment No. 119: Reported in technical disagreement. The managers on the part of the House will move to concur in the amendment of the Senate which appropriates $225,000,000 for expenses of the Ready Reserve Force. This amount includes $49,400,000 to add five ships to the RRF including three tankers by upgrade and one RO/RO and one tanker by acquisition; $171,600,000 for maintenance and operations; and $4,000,000 for long-term capital improvement projects for the National Defense Reserve Fleet.

The conference agreement also provides that reimbursements may be made to the Operations and Training appropriation for expenses related to the Ready Reserve Force Program. The House bill contained no similar provisions.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Amendment No. 120: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts certain administrative provisions involving Government property controlled by the Maritime Administration, the accounting for certain funds received by the Maritime Administration, and a prohibition on obligations from the Maritime Administration construction fund. The House bill contained no provision on this matter.

ADVISORY COMMISSION ON CONFERENCES IN OCEAN SHIPPING

Amendment No. 121: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert the following: *$500,000, to remain available until expended*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $500,000 for the Advisory Commission on Conferences in Ocean Shipping as proposed by the Senate, instead of $200,000 as proposed by the House, and adds new language not in either bill making these funds available until expended.

ARMS CONTROL AND DISARMAMENT AGENCY

ARMS CONTROL AND DISARMAMENT ACTIVITIES

Amendment No. 122: Provides a limitation of up to $75,000 for official reception and representation expenses for the Arms Control and Disarmament Agency instead of $55,000 for this purpose as proposed by the House and $100,000 as proposed by the Senate.

Amendment No. 123: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede

and concur in the Senate amendment with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$37,040,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes $9,175,000, originally proposed in the State Department's budget, for the administrative cost of ACDA's Geneva operations and $1,000,000 for four additional staff positions and the external research program to support various arms control activities. The conference agreement also reflects a reduction of $421,000 from the budget request for reduced costs of the Foreign Affairs Administrative System. These costs are included in the State Department's Salaries and Expenses appropriation.

Board for International Broadcasting

GRANTS AND EXPENSES

Amendment No. 124: Appropriates $197,750,000 for grants and expenses of the Board for International Broadcasting instead of $192,586,000 as proposed by the House and $201,258,000 as proposed by the Senate. The conference agreement provides $5,164,000 of the additional funds requested for the transmitter modernization program for Radio Free Europe/Radio Liberty. The conferees are agreed that these funds should be used for currency exchange fluctuations to support the operations of the Radios if needed.

Commission on Agricultural Workers

SALARIES AND EXPENSES

Amendment No. 125: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides for extended availability of funds for the Commission. The House bill contains no similar provision.

Commission on the Bicentennial of the United States Constitution

SALARIES AND EXPENSES

Amendment No. 126: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which extends the availability of funds and authorizes the Commission to enter into contracts, grants or cooperative agreements. The House bill contains no similar provision.

Commission on Civil Rights

SALARIES AND EXPENSES

Amendment No. 127: Appropriates $7,075,000 instead of $6,075,000 as proposed by the House and $7,825,000 as proposed by the Senate.

The conference agreement provides for additional funds to allow the Commission to enhance its regional operations in fiscal year 1991.

COMPETITIVENESS POLICY COUNCIL

SALARIES AND EXPENSES

Amendment No. 128: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates $750,000 for the Competitiveness Policy Council to remain available until expended. The House bill contained no similar provision.

The conferees are pleased to note that all but one of the Council's members have now been named and that the Council should soon be operational after the President officially announces his four appointments. The Council is directed to submit to the House and Senate Appropriations Committees, within forty-five days of enactment of this Act, a report describing the Council's proposed agenda and activities for fiscal year 1991. This report should also indicate the proposed allocation of the $1,500,000—including $750,000 in unobligated balances from 1990—available to the Council in fiscal year 1991. The conferees recognize that the Council must conduct its first meeting in order to select its chairman and develop an agenda prior to submitting this report, and encourage the Administration to assist the Council in expediting this process.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

Amendment No. 129: Makes available up to $25,000,000 for payments to State and local enforcement agencies as proposed by the Senate, as opposed to $20,000,000 as proposed by the House.

The conference agreement maintains the Senate provision which increases the limitation for payments to State and local enforcement agencies by $5,000,000 to $25,000,000. This limitation had been held constant at $20,000,000 for several years despite a serious increase in the pending inventory of the State and local agencies as well as additional legislative mandates.

Amendment No. 130: Appropriates $198,300,000 instead of $194,500,000 as proposed by the House and $200,700,000 as proposed by the Senate, and deletes language inserted by the Senate which would have delayed for one year implementation of a rule allowing unsupervised waivers under the Age Discrimination in Employment (ADEA) Act.

The conference agreement includes $1,000,000 for the implementation of a technical assistance program as authorized by section 506 of the Americans with Disabilities Act of 1990. The conferees are aware that the ADA and other recent and pending legislation will have other increased workload implications for the Commission. The conferees have provided the fullest amount possible within the overall resource allocation for this bill, and recognize that the funding level provided for this fiscal year will not allow the Commission to carry out all newly authorized programs and other Commission priorities. However, the conferees have noted the

EEOC's recent successes in decreasing the pending inventory of cases in both the private and Federal sectors. The Commission is encouraged to continue its automation program and other efforts aimed at streamlining the procedures by which cases are processed so that additional workload savings can be directed toward these new priorities.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

Amendment No. 131: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$117,794,000" named in said amendment insert the following: *$115,794,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $115,794,000 for the Federal Communications Commission for fiscal year 1991 instead of $117,794,000 as proposed by the Senate. The conference agreement also includes certain language provisions governing the use of funds as proposed by the Senate. The House bill included no similar provision.

The conference agreement provides for $2,800,000 of the program increases requested by the Commission and $800,000 for the collection of fees.

The conference agreement again includes $30,000 so that the FCC can continue to subscribe to the Rutgers University Wireless Information Network Laboratory in fiscal year 1991. The conferees expect the Commission again to move expeditiously to subscribe to this important technical information network.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

Amendment No. 132: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which limits funds for official reception and representation expenses to $2,000. The House bill contained no similar provision.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

Amendment No. 133: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the first sum "$76,095,000" named in said amendment insert: *$74,095,000*

and in lieu of the sum "$56,095,000" named in said amendment insert: *$54,095,000*

and in lieu of the second sum "$76,095,000' named in said amendment, insert: *$74,095,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment to the Senate.

The conference agreement appropriates $74,095,000 of which $20,000,000 shall be derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976, maintains certain restrictions from the Federal Trade Commission Improvements Act of 1980, and allows for up to $2,000 for official reception and representation expenses. The conference agreement also provides that a total of $74,095,000 shall be apportioned and shall be construed as being available for obligation without regard to the actual amount of fee collections and the Antideficiency Act. The Senate bill contained $76,095,000, the language restrictions contained in the conference agreement and the provision concerning the apportionment of funds contained in the conference agreement. The House bill contained no similar provisions.

The conference report provides for an increase of $3,400,000 over actual FY 1990 levels, associated with an anticipated increase in fee collections.

International Trade Commission

SALARIES AND EXPENSES

Amendment No. 134: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$40,671,000" named in said amendment insert: *$40,299,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $40,299,000 for the International Trade Commission and includes up to $2,500 for official reception and representation expenses. The House bill contained no similar provision.

Legal Services Corporation

PAYMENT TO THE LEGAL SERVICES CORPORATION

Amendment No. 135: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

Legal Services Corporation

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, $327,186,000 of which $280,314,000 is for basic field programs, $7,445,000 is for the Native American programs, $10,282,000 is for

migrant programs, $1,166,000 is for the law school clinics, $1,060,000 is for supplemental field programs, $662,000 is for regional training centers, $7,663,000 is for national support, $8,315,000 is for State support, $917,000 is for the Clearinghouse, $541,000 is for computer assisted legal research regional centers, and $8,821,000 is for Corporation management and administration.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $327,186,000 and certain earmarkings of the funds for each component of the Corporation's budget. The Senate bill provided a total of $329,186,000 and certain earmarkings for the various components of the Corporation's budget which were reduced proportionately in the conference agreement. The House bill contained no similar provisions.

The following table shows the amounts for each program provided for in 1990, in the budget request, in the Senate amendment and in the conference agreement. The House deferred consideration of the Legal Services Corporation budget request due to lack of authorization.

LEGAL SERVICES CORPORATION

[In thousands of dollars]

	Fiscal year—		House	Senate	Conference
	1990 enacted	1991 request			
Basic field programs	$274,965	$292,097	Defer	$282,080	$280,314
Special emergency funds		500	do		
Native American program	7,304	7,759	do	7,490	7,445
Migrant programs	10,088	10,717	do	10,345	10,282
Law school clinics	1,144	1,215	do	1,173	1,166
Supplemental field programs	1,040	1,105	do	1,067	1,060
Regional training centers	649	689	do	666	662
National support	7,518	7,986	do	7,710	7,663
State support	8,158	8,666	do	8,366	8,315
Clearinghouse	900	956	do	923	917
Computer Assisted Legal Research (CALR) regional centers	531	564	do	545	541
Corporation management and administration	8,703	10,746	do	8,821	8,821
Total	321,000	343,000	do	329,186	327,186

The conference agreement assumes that $1,925,000 of funds carried over from fiscal year 1990 are available to the Corporation for management and administration bringing the total amount available for management and administration to $10,746,000, the level in the budget request. The Corporation is directed to submit a report to the House and Senate Appropriations Committees regarding the source of any carryover funds and, to the extent the total amount exceeds $1,925,000, to submit a reprogramming pursuant to section 606 of this Act regarding any proposed use of such excess amount.

Marine Mammal Commission

SALARIES AND EXPENSES

Amendment No. 136: Appropriates $1,153,000 for the Marine Mammal Commission as proposed by the Senate instead of $1,003,000 as proposed by the House.

Martin Luther King, Jr., Federal Holiday Commission

SALARIES AND EXPENSES

Amendment No. 137: Appropriates $300,000 for the Martin Luther King, Jr., Federal Holiday Commission as proposed by the House instead of $338,000 as proposed by the Senate.

Office of the United States Trade Representative

SALARIES AND EXPENSES

Amendment No. 138: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum "$18,936,000" named in said amendment, insert: *$20,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates $20,000,000 for the Office of the U.S. Trade Representative for fiscal year 1991 instead of $18,936,000 as proposed by the Senate. The House bill contained no similar provision. The amount provided will allow the USTR to fund all uncontrollable adustments to base and also to begin the upgrade of automation capabilities for both the USTR's Washington office and its Geneva operations.

The conference agreement also provides for up to $89,000 for official reception and representation expenses as proposed by the Senate.

Securities and Exchange Commission

SALARIES AND EXPENSES

Amendment No. 139: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission including services as authorized by 5 U.S.C. 3109, and not to exceed $3,000 for official reception and representation expenses, $190,185,000, of which not to exceed $10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions and, for 1991 only, not to exceed $100,000 shall be available to host a conference of the International Organization of Securities Commissions, such sum to cover related translation, printing, facility and other necessary logistic and administrative expenses: Provided, That immediately upon anactment of this Act, the rate of fees under section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)) shall increase from one-fiftieth of 1 per centum to one-fortieth of 1 per centum and such increase shall be deposited as an offsetting receipt to the general fund of the Treasury: Provided further, That the preceding proviso is repealed upon enactment into law of other legislation which increases the rate of fees under section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)).

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $190,185,000 for the Commission, provides for up to $3,000 for official reception and representation expenses, limits to $10,000 the amount to be used toward funding a permanent secretariat for the International Organization of Securities Commissions, and limits to $100,000 the amount to host a conference of the International Organization of Securities Commissions.

The conference agreement also includes language requiring the SEC to raise the rate of fees under section 6(b) of the Securities Act of 1933 from one-fiftieth to one-fortieth of 1 percent, provides that the amounts to be collected by this increase are to be deposited in the general fund of the Treasury and are considered offsetting receipts to this appropriation and provides that the requirement that certain fee increases shall be repealed upon enactment of other legislation which increases fees in that area.

The Senate amendment provided $192,385,000, the limits on the use of funds contained in the conference agreement and the proviso on fees contained in the conference agreement without the further repealer provision. The House bill contained no similar provisions.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Amendment No. 140: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *and not to exceed $3,500 for official reception and representation expenses, $274,753,000, of which $1,500,000 shall be made available for a grant to St. Norbert College in De Pere, Wisconsin, for a regional center for rural economic development, of which $100,000 shall be made available for a grant to the School of Forestry of the University of Montana for a planning study for locating a Value-Added Wood Products Development, Marketing and Small Business Assistance Research Laboratory at the University of Montana, of which $200,000 shall be made available for a grant to Central Arkansas University to establish a national communications and data center for the Small Business Institute program, of which $1,500,000 shall be made available for a grant to the University of Kentucky's Somerset Community College for a regional center for rural economic development with a special emphasis on small business, of which $1,500,000 shall be made available for a grant to the West Philadelphia Economic Development Corporation for a national demonstration project for community economic development and small business assistance, of which $500,000 shall be made available for a Center for Manufacturing Productivity at the University of Massachusetts at Amherst, of which $1,200,000 is for the Small Business Development Center Technical Assistance Program, of which $15,000,000 shall be made available to implement section 24 of the Small Business Act, as amended, of which $1,000,000 shall be made available to implement section 25 of the Small Business Act, as amended, and*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides a total of $274,753,000 for the Salaries and Expenses account of the Small Business Administration and language earmarking funds for the following grants for certain small business development activities: $1,500,000 for St. Norbert College; $100,000 for the School of Forestry of the University of Montana; $200,000 for Central Arkansas University; $1,500,000 for the University of Kentucky's Somerset College; $1,500,000 for the West Philadelphia Economic Development Corporation; $500,000 for the University of Massachusetts and $1,200,000 for the Small Business Development Center Technical Assistance Program. The Senate amendment would have appropriated a total $250,619,000 for Salaries and Expenses and earmarked the following amounts for certain small business development activities: $1,000,000 for St. Norbert College; $100,000 for the School of Forestry at the University of Montana and $250,000 for Central Arkansas University. The House proposed $248,500,000 for Salaries and Expenses with no earmarkings.

The conference agreement, including $107,160,000 expected to be transferred from the Disaster Loan Fund in Amendment No. 143, provides the following amounts for the various items funded in the Salaries and Expenses account with appropriate comparisons to the House and Senate bills:

[Dollars in thousands]

	Fiscal year 1991—		
	House	Senate	Conference
Small Business Development Centers	$56,000	$49,338	$55,750
SCORE	2,467	3,067	2,767
SBI	2,490	3,090	2,990
7(j)	8,731	8,731	8,731
Women's Outreach	3,614	1,974	2,000
Veterans Outreach	459	459	459
International Trade	800	493	493
Advocacy Research and Data Base	1,663	1,663	1,663
PASS	1,443	1,179	1,179
Women's Council	500	493	493
Minority Council	865	493	600
Rural Development—Kentucky	0	0	1,500
Rural Development—Wisconsin	0	1,000	1,500
Data Collection System—Arkansas	0	250	200
Forestry Grant—Montana	0	100	100
West Philadelphia Enterprise Development	0	0	1,500
Productivity Center—Massachusetts	0	0	500
SBDC Technical Assistance Program	0	0	1,200
New Computer	3,500	3,500	3,500
Move to Central Office	4,189	4,189	4,189
Disaster Assistance	19,357	29,603	29,603
FTS	3,821	5,900	3,821
Compensation and Benefits	179,886	176,382	176,000
All Other	65,875	65,875	65,175
Natural Resources Development	0	0	15,000
SBDC Central Europe Development	0	0	1,000
Total	355,660	357,779	383,613

Amendment No. 141: Earmarks $55,750,000 for grants for Small Business Development Centers instead of $56,000,000 as proposed by the House and $49,338,000 as proposed by the Senate.

Amendment No. 142: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides language specifying that grants for the Small Business Development Centers are for performance in fiscal year 1991 or fiscal year 1992. The House bill contained no similar provision.

Amendment No. 143: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *nothing herein shall preclude the Small Business Administration from preparing or formulating, but not publishing in the Federal Register, proposed rules, nor shall anything herein apply to uniform common rules applicable to multiple Federal departments and agencies, including the Small Business Administration; nor may any of the funds provided in this paragraph restrict in any way the right of association of participants in such program.*

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 1. DEPUTY ADMINISTRATOR.

(a) Section 4 of the Small Business Act is amended by striking "The Administrator is authorized to appoint a Deputy Administrator and" from the fourth sentence of paragraph (1) of subsection (b) and inserting in lieu thereof the following: "The President also may appoint a Deputy Administrator, by and with the advice and consent of the Senate. The Administrator is authorized to appoint".

(b) The provisions of subsection (a) of this section shall apply to any vacancy in the position of Deputy Administrator of the Small Business Administration after the effective date of this Act.

SEC. 2. JOINT VENTURES WITH TRIBALLY OWNED PARTICIPANTS IN THE 8(a) PROGRAM.

Section 602 of the Business Opportunity Development Reform Act of 1988 (15 U.S.C. 637 note) is amended—

(1) in subsection (c), by striking "two" and inserting "5", and

(2) in subsection (e), by striking "September 30, 1991" and inserting "September 30, 1992".

SEC. 3. INTEREST RATE ON CERTIFIED DEVELOPMENT COMPANY LOANS.

Section 112 of the Small Business Administration Reauthorization and Amendment Act of 1988 (Public Law 100–590) is amended by striking from the end of subsection (c) "October 1, 1990" and by inserting in lieu thereof "October 1, 1994".

SEC. 4. NATURAL RESOURCE DEVELOPMENT.

The Small Business Act is amended by adding the following new section:

"SEC. 24. (a) The Administrator is authorized to make grants to or to enter into contracts with any State for the purpose of contracting with small businesses to plant trees on land owned or controlled by such State or local government. The Administrator shall require as a condition of any grant (or amendment or modification thereof) under this section that the applicant also contribute to the project a sum equal to at least 25 per centum of a particular project cost from sources other than the Federal Government. Such non-Federal money may include inkind contributions, including the cost or value of providing care and maintenance for a period of three years after the planting of the trees, but shall not include any value attributable to the land on which the trees are to be planted, nor may any part of any grant be used to pay for land or land charges: Provided, That not less than one-half of the amounts appropriated under this section shall be allocated to each State, the District of Columbia, and the Commonwealth of Puerto Rico on the basis of the population in each area as compared to the total population in all areas as provided by the Census Bureau of the Department of Commerce in the annual population estimate or the decennial census, whichever is most current. The Administrator may give a priority in awarding the remaining one-half of appropriated amounts to applicants who agree to contribute more than the requisite 25 per centum.

"(b) In order to accomplish the objectives of this section, the Administrator, in consultation with appropriate Federal agencies,

shall be responsible for formulating a national small business tree planting program. Based on this program, a State may submit a detailed proposal for tree planting by contract.

"(c) To encourage and develop the capacity of small business concerns, to utilize this important segment of our economy, and to permit rapid increases in employment opportunities in local communities, grantees are directed to utilize small business contractors or concerns in connection with the program established by this section, and shall, to the extent practicable, divide the project to allow more than one small business concern to perform the work under the project.

"(d) For purposes of this section, agencies of the Federal Government are hereby authorized to cooperate with all grantees and with State foresters or other appropriate officials by providing without charge, in furtherance of this program, technical services with respect to the planting and growing of such trees.

"(e) There are authorized to be appropriated to carry out the objectives of this section, $15,000,000 for fiscal year 1991 and $30,000,000 for each of the fiscal years 1992 through 1994, and all of such sums may remain available until expended.

"(f) Notwithstanding any other law, rule, or regulation, the administration shall publish in the Federal Register proposed rules and regulations implementing this section within sixty days after the date of enactment of this section and shall publish final rules and regulations within one hundred and twenty days of the date of enactment of this section.

"(g) As used in this section:

"(1) the term 'local government' includes political subdivisions of a State such as counties, parishes, cities, towns and municipalities;

"(2) the term 'planting' includes watering, application of fertilizer and herbicides, pruning and shaping, and other subsequent care and maintenance for a period of three years after the trees are planted; and

"(3) the term 'State' includes any agency thereof.

"(h) The Administrator shall submit annually to the President and the Congress a report on activities within the scope of this section.".

SEC. 5. SMALL BUSINESS DEVELOPMENT CENTERS.

(a) Section 21 of the Small Business Act is amended by striking the second proviso in subsection (a)(4) and inserting in lieu thereof the following: "Provided further, That no recipient of funds under this section shall receive a grant which would exceed its pro rata share of a $70,000,000 program based upon the population to be served by the Small Business Development Center as compared to the total population of the United States, plus $100,000 for each state but no state shall receive less than $200,000.";

(b) section 204 of the Small Business Development Center Act of 1980 (Public Law 96-302), as amended, is hereby repealed; and

(c) the amendments to the second proviso in subsection (a)(4) made by subsection (a) of this section shall apply to contracts, grants or cooperative agreements for performance commencing on or after October 1, 1991; contracts, grants or cooperative agreements for per-

formance commencing prior thereto shall receive funding for the entire term of performance without regard to this amendment and according to the state's pro rata share of a $65,000,000 program as computed on the effective date of this section under population estimates used for calendar year 1990 agreements, plus $50,000 for each state, but no state shall receive less than $200,000.

SEC. 6. SBDC GRANTEE ELIGIBILITY.

Section 21 of the Small Business Act is amended by striking the period at the end of the first sentence of paragraph (1) of subsection (a) and inserting the following: ": Provided, That after December 31, 1990, the Administration shall not make a grant to any applicant other than an institution of higher education as a Small Business Development Center unless the applicant was receiving a grant (including a contract or cooperative agreement) on such date. The Administration shall require any applicant for a small business development center grant with performance commencing on or after January 1, 1992 to have its own budget and to primarily utilize institutions of higher education to provide services to the small business community.".

SEC. 7. CENTRAL EUROPEAN ENTERPRISE DEVELOPMENT.

The Small Business Act is amended by adding the following new section:

"SEC. 25. (a) There is hereby established a Central European Small Business Enterprise Development Commission (hereinafter in this section referred to as the 'Commission'). The Commission shall be comprised of a representative of each of the following: the Small Business Administration, the Association of American Universities, and the Association of Small Business Development Centers.

"(b) The Commission shall develop in Czechoslovakia, Poland and Hungary (hereinafter referred to as 'designated Central European countries') a self-sustaining system to provide management and technical assistance to small business owners.

"(1) Not later than 90 days after the effective date of this section, the Commission, in consultation with the Agency for International Development, shall enter a contract with one or more entities to—

"(A) determine the needs of small businesses in the designated Central European countries for management and technical assistance;

"(B) evaluate appropriate Small Business Development Center-programs which might be replicated in order to meet the needs of each of such countries; and

"(C) identify and assess the capability of educational institutions in each such country to develop a Small Business Development Center type program.

"(2) Not later than 18 months after the effective date of this section, the Commission shall review the recommendations submitted to it and shall formulate and contract for the establishment of a three-year management and technical assistance demonstration program.

"(c) In order to be eligible to participate, the educational institution in each designated Central European country shall—

"(1) obtain the prior approval of the government to conduct the program;

"(2) agree to provide partial financial support for the program, either directly or indirectly, during the second and third years of the demonstration program; and

"(3) agree to obtain private sector involvement in the delivery of assistance under the program.

"(d) The Commission shall meet and organize not later than 30 days after the date of enactment of this section.

"(e) Members of the Commission shall serve without pay, except they shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in carrying out their functions in the same manner as persons employed intermittently in the Federal Government are allowed expenses under section 5703 of title 5, United States Code.

"(f) Two Commissioners shall constitute a quorum for the transaction of business. Meeting shall be at the call of the Chairperson who shall be elected by the Members of the Commission.

"(g) The Commission shall not have any authority to appoint staff, but upon request of the Chairperson, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of such department or agency to the Commission to assist in carrying out the Commission's functions under this section without regard to section 3341 of title 5 of the United States Code. The Administrator of the General Services Administration shall provide, on a reimbursable basis, such administrative support services as the Commission may request.

"(h) The Commission shall report to Congress not later than December 1, 1991, and annually thereafter, on the progress in carrying out the provisions of this section.

"(i) There are hereby authorized to be appropriated to the Small Business Administration the sum of $3,000,000 for fiscal year 1991, $5,000,000 for fiscal year 1992 and $8,000,000 for fiscal year 1993 to carry out the provisions of this section. Such sums shall be disbursed by the Small Business Administration as requested by the Commission and may remain available until expended. Any authority to enter contracts or other spending authority provided for in this section is subject to amounts provided for in advance in appropriations Acts.".

SEC. 8. LOAN SERVICING FEE.

In the Small Business Investment Act of 1958, insert the following new subsection:

"SEC. 503. (e)(3) Notwithstanding any other provision of law, qualified State or local development companies shall be authorized to prepare applications for deferred participation loans under Section 7(a) of the Small Business Act, to service such loans and to charge a resonable fee for servicing such loans.".

SEC. 9. SMALL BUSINESS DEVELOPMENT CENTER TECHNICAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by insering after section 21, the following new section:

"21A. Small Business Development Center Technical Assistance Program.

"(a) The Administration is authorized to make grants to establish pilot programs at 5 Small Business Development Centers in order to increase access by small businesses in each center's service area to online data bases. The purpose of this program shall be to provide small businesses, in states selected to participate in this demonstration program, with improved online access to public and private technology, services and expertise, so as to accelerate the transfer of technology and expertise to small businesses and to improve the productivity and economic competitiveness of these small businesses.

"(b) Any Small Business Development Center which is funded by the Administration is eligible to receive an additional grant to provide access to online data bases as described in subsection (a) providing it contributes at least a fifty percent matching contribution.

"(c) The grants authorized by this section must be used to—

"(1) defray all or part of the cost of accessing data bases from private vendors for a limited period of time,

"(2) demonstrate to small businesses the benefits of accessing such data bases, and

"(3) train small businesses to use such data bases to access technical information and services."

(b) AUTHORIZATION.—There is authorized to be appropriated to the Small Business Administration for each of fiscal years 1991 and 1992, $1,200,000 to carry out the terms of section 21A of the Small Business Act.

SEC. 10. CONTINUATION OF AUTHORITY.

Nothwithstanding any other provision of law, an amount shall be made available from the unobligated balances in the Business Loan and Investment Fund to make a grant designated in Public Law 100-459 in subsection (c) under the heading "Economic Assistance Programs", at a funding level not less than the level provided during fiscal year 1990, and notwithstanding any other provision of law, an amount shall be made available from the unobligated balances in the Business Loan and Investment Fund to make a grant to the first entity designated in Public Law 100-459 in subsection (k) under the heading "Economic Development Assistance Programs" at a funding level not less than the level provided during fiscal year 1990 to such entity.

SEC. 11. COOPERATIVE AGREEMENTS.

Section 7(b) of the Small Business Computer Security and Education Act of 1984 (15 U.S.C. 633 note) as amended, is further amended by striking "October 1, 1990" and inserting in lieu thereof "March 31, 1991".

SEC. 12. TRANSFER FROM DISASTER LOAN FUND.

In addition such sums as may be necessary

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The House had proposed a transfer of $107,160,000 from the Disaster Loan Fund for disaster loan making activities. The Senate amendment would have eliminated this amount and provided for a transfer of such sums as may be necessary for disaster loan making activities. The conference agreement includes the language pro-

posed by the Senate and several new provisions not included in either the House or Senate bill as follows:

The conference agreement includes a provision which permits SBA to develop rules or regulations for the Small Business Development Center program. Prior appropriations Acts have prohibited the Small Business Administration from adopting rules or regulations for the Small Business Development Center program. That limitation did not prohibit SBA from developing regulations, and the conferees on those Acts did not intend to prohibit SBA from doing so. Some employees of the agency, however, erroneously interpreted that language to mean they could not even begin the regulatory process due to the limitation.

Since the conferees do not intend to prohibit the development of regulations and, in fact, encourage SBA to do so, the language has been modified for FY 1991 to eliminate any misinterpretation. The Agency may and should begin the regulatory process, including the formulation and drafting of proposed regulations and consulting with the Small Business Development Centers and others concerning contemplated regulations. The Agency, however, is prohibited from expending any funds to publish proposed regulations or to carry them beyond the developmental stage.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

Section 1. Deputy Administrator

This provision amends the Small Business Act to provide that the position of Deputy Administrator (now vacant) be subject to Senate confirmation.

Section 2. Joint Ventures with Tribally Owned Participants in the 8(a) Program

This provision extends for one year a pilot program which allows two or more Indian tribes to enter joint ventures and participate in SBA's 8(a) program. Each party participating in the joint venture could receive up to five 8(a) contracts instead of the two contracts now authorized.

Section 3. Interest Rate on Certified Development Company Loans

This section extends for four years a provision allowing SBA to override state law and set the interest rate on a bank loan made as part of the funding for a project partially funded by the certified development company loan program.

Section 4. Natural Resources Development

This provision authorizes the Administrator of the Small Business Administration to contract with any state for the purpose of contracting with small businesses to plant trees on land owned or controlled by the State or local government. As a condition of receiving any grant, the applicant is required to contribute a sum equal to at least 25 percent of the grant in order to augment that project. Each state would consolidate requests from local govern-

ments to participate so that only one application would be submitted to SBA by each state.

At least one-half of the monies must be allocated to states on the basis of the state's population as compared to total population in the United States. The Administrator of the SBA may award the other half in his discretion, but is authorized to give a priority to applicants which agree to contribute more than the requisite 25 percent match.

Grantees are directed to utilize small business contractors or concerns to plant the trees and, to the extent practicable, to divide the project to allow more than one small business concern to participate in the project.

Fifteen million dollars is authorized for fiscal year 1991 and $30 million for each of fiscal years 1992 through 1994 to carry out this program.

Section 5. Small Business Development Centers

This provision amends the authorization for the Small Business Development Center Program.

Legislation was enacted in 1980 to establish the Small Business Development Center program and authorize funding in each state based upon its population as compared to total population in the United States. The state could receive up to its share of a $65 million national program. This formula has remained unchanged and has not been adjusted for inflation during the past decade.

The decennial census is almost completed and its use will change the amount of the grant made available to each state. States which either have lost population or whose population has not increased to the same extent as high growth states would have their funding reduced and this would hinder their ability to deliver management and technical assistance to the small business community.

To insure that states are not harmed by the shifting and growth of population which will be reflected in the census and to provide some recompense for inflation which has occurred in the past 10 years, the national program is being increased by $5 million. Each state will share in this based upon the census, and when fully implemented each state will also receive $100,000. The next effect is that no state will have its funding reduced due to the census.

In addition, the 1991 sunset on the SBDC program is repealed.

Section 6. SBDC Grantee Eligibility

This provision makes certain changes in eligibility requirements for the Small Business Development Center program.

The most successful SBDC programs have two major characteristics in common. First, they rely heavily upon an educational institution's faculty, its facilities and its students. And, second, they operate as autonomous entities under the Small Business Development Center name rather than simply being an anonymous part of a government agency which serves purposes other than the delivery of management and technical assistance to the small business community.

Accordingly, future applicants for the SBDC program are limited to educational institutions except that SBA is authorized to renew the funding of other entities currently funded as SBDCs providing

SBA affirmatively determines that such applicants have their own budget and will primarily utilize instructions of higher education to provide the services to the small business community.

Section 7. Central European Enterprise Development

This provision established a new section 25 of the Small Business Act. The new section 25 establishes a three member Commission (the Small Business Administration, the American Association of Universities, and the Association of Small Business Development Centers) to arrange the establishment of a three-year pilot program to provide management and technical assistance in three designated Central European countries. The three countries are Czechoslovakia, Poland and Hungary. The program would be patterned after the Small Business Development Center program which operates at institutions of higher education in the United States.

The Commission would hire a private contractor to determine the needs of small businesses in the three countries, to evaluate the appropriate SBDC programs existing here which might be used to meet those needs, and to identify educational institutions in the Central European countries which would be capable of establishing and operating such programs.

The ultimate decision as to the proposed foreign host institutions and the domestic programs which would be replicated to fill these needs would be made by the Commission. It is expected that the program would be in place in 18 months and would operate for three years.

Three million dollars is authorized for this program for fiscal year 1991, $5 million is authorized for fiscal year 1992 and $8 million is authorized for fiscal year 1993.

Section 8. Loan Servicing Fees

This provision adds a new provision to the Small Business Investment Act of 1958 which permits qualified State or local development companies to service deferred participation loans under Section 7(a) of the Small Business Act and to charge a reasonable fee for servicing such loans.

Section 9. Small Business Development Center Technical Assistance Program

This provision adds a new section to the Small Business Act which authorizes the Small Business Administration to make grants to establish pilot programs at 5 Small Business Development Centers to increase access by small businesses in each center's service area to online data bases. The provision authorizes $1,200,000 for each of fiscal years 1991 and 1992 for this purpose.

Section 10. Continuation of Authority

The conference agreement includes a provision which continues authority to make certain grants designated in Public Law 100–459.

Section 11. Cooperative Agreements

The conference agreement includes a provision which extends a sunset from October 1, 1990, to March 31, 1991, thereby authorizing

the Small Business Administration to cooperate with for-profit businesses in providing training and seminars for small firms.

Section 12. Transfer from Disaster Loan Fund

This provision permits such sums as may be necessary to be transferred from the Disaster Loan Fund into the Salaries and Expenses account as proposed by the Senate instead of a transfer of $107,160,000 for this purpose as proposed by the House.

State Justice Institute

SALARIES AND EXPENSES

Amendment No. 144: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum named in said amendment insert: *$13,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $13,000,00 for the State Justice Institute for fiscal year 1991 instead of $12,360,000 as proposed by the Senate and $14,000,000 as proposed by the House. The conference agreement also provides for extended availability of funds as proposed by the Senate. The House bill contained no similar provision.

The conferees are pleased to note the accomplishments of the State Justice Institute in its efforts to improve the administration and operations of State and local courts and their support organizations. The conferees expect the Board of Directors of the Institute to continue to give priority consideration to grant proposals dealing with innovative methods of addressing the burden of drug-related cases in State and local courts. The conferees also urge the Board to give full consideration to all levels of State court administration, including the training of family, juvenile, and domestic court judges.

United States Information Agency

SALARIES AND EXPENSES

Amendment No. 145: Provides a limitation of $25,000 in entertainment expenses, including official receptions, as proposed by the Senate instead of $20,000 for this purpose as proposed by the House.

Amendment No. 146: Appropriates $652,757,000 instead of $648,188,000 as proposed by the House and $653,700,000 as proposed by the Senate. The conference agreement includes $3,569,000 above the House allowance for staff and related costs to expand Voice of America broadcasts to the Middle East and the Persian Gulf to 24 hours a day. The conference agreement also includes $1,000,000 above the House allowance for restoration of base program funds.

OFFICE OF INSPECTOR GENERAL

Amendment No. 147: Appropriates $4,023,000 instead of $4,123,000 as proposed by the House and $3,923,000 as proposed by the Senate.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

Amendment No. 148: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$159,708,000" named in said amendment, insert the following: *$163,151,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $163,151,000 for Educational and Cultural Exchanges and earmarks up to $200,000 for the Claude and Mildred Pepper Scholarship Program and $500,000 for a grant to the North Pacific Studies Center. The Senate had proposed an appropriation of $159,708,000 with the earmarkings listed above. The House had proposed an appropriation of $167,000,000 with no earmarkings.

The following table shows the conference agreement with appropriate comparisons:

[In thousands of dollars]

	FY 1990 enacted	1991			
		Request	House	Senate	Conference
Academic exchange programs:					
Samantha Smith	2,000	2,000	2,000	2,000	2,000
All other academic	90.751	91,549	96,166	94,319	95,319
CAMPUS	3,245	3,187	3,414	3,414	3,414
Subtotal	95,996	96,736	101,530	99,733	100,733
International Visitors Program	41,413	42,638	46,191	43,916	45,659
Hubert Humphrey fellowships	5,123	5,328	6,000	5,328	5,328
Congress-Bundestag exchange	2,465	2,465	3,400	2,465	2,465
Institute for Representative Government	532			532	532
The North Pacific Studies Center					500
Citizen exchanges:					
Eisenhower fellowships	1,497	(1)	(1)	(1)	
Citizen exchanges	7,322	7,163	9,879	7,734	7,934
Subtotal	8,801	7,163	9,879	7,734	7,934
Total	154,330	154,330	167,000	159,708	163,151

[1] Carryover balances of $1,737,000 will be used to fund Eisenhower fellowships in 1991.

The conference agreement includes up to $2,000,000 under Private Sector Programs for training programs for local government officials, scholars, and business leaders in the emerging democracies in Poland, Hungary, Czechoslovakia and Romania. These funds would be used for training officials and leaders from these countries in the United States, providing U.S. experts to those countries and developing and distributing instructional materials in several

program areas, including local government, government administration, economics, business administration, and the role of a free press. The conferees understand that several American institutions have already developed project proposals which would address these critical areas, including Rutgers University, DePaul University, and the University of Kansas. The conferees believe these kinds of proposals offer excellent potential for fostering the growth of democratic institutions and economic pluralism in these developing democracies and urge the United States Information Agency to consider such proposals expeditiously.

The conferees encourage the U.S. Information Agency to emphasize programs in Central and Eastern Europe in order to respond to the unique opportunities that are occurring in that region of the world. In that regard, the conferees endorse the language contained in the House report on this matter. In addition, the conferees agree that the Appropriations Committees would entertain a reprogramming to make funds available for the newly-authorized Eisenhower Fellowship Program.

RADIO CONSTRUCTION

Amendment No. 149: Appropriates $107,237,000 instead of $96,557,000 as proposed by the House. The conference agreement includes $10,680,000 above the House allowance to expand Voice of America broadcasts to the Middle East and the Persian Gulf to 24 hours a day.

BROADCASTING TO CUBA

Amendment No. 150: Provides the technical citation for the Radio Broadcasting to Cuba Act as proposed by the Senate. The House bill contained no similar provision.

Amendment No. 151: Provides the citation for the Television Broadcasting to Cuba Act as proposed by the Senate. The House bill contained no similar provision.

Amendment Nos. 152 and 153: Provides a reference to television transmissions in the appropriation language as proposed by the Senate. The House bill contained no similar provisions.

Amendment No. 154: Deletes language proposed by the House and stricken by the Senate which would have made the appropriation available for expenses to carry out activities authorized by the Television Broadcasting to Cuba Act. This is a technical change and is addressed in Amendment No. 151.

Amendment No. 155: Reported in disagreement.

Amendment No. 156: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which adds a provision which permits funds for television broadcasting to Cuba to be used to purchase, lease, maintain and operate aircraft (including aerostats) which may be required to house and operate necessary broadcasting equipment. The House bill contained no similar provision.

EAST-WEST CENTER

Amendment No. 157: Appropriates $23,000,000 as proposed by the Senate instead of $20,000,000 as proposed by the House.

ADMINISTRATIVE PROVISION

Amendment No. 158: Deletes a provision proposed by the Senate which would have extended the Au Pair programs designated by USIA until such programs are authorized and implemented by another agency. The House bill contained no similar provision. This matter is addressed in legislation which has already been passed by the Congress.

TITLE VI—GENERAL PROVISIONS

Amendment No. 159: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides that if any provision of this Act or the application of any provision is held invalid, the remainder of this Act and the application of such provisions to persons or circumstances other than those as to which it is held invalid shall not be affected. The House bill contained no similar provision.

Amendment No. 160: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which requires that fiscal year 1991 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act. The House bill contained no similar provision.

Amendment No. 161: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which restores prior year language proposed by the Senate concerning the reprogramming of funds within appropriation accounts. The House bill contained no similar provisions.

Amendment No. 162: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the sum "$9.28" in subparagraph (1) of said amendment, insert *$9.22*

and

In lieu of the term "6 cents" in subparagraph (1) of said amendment, insert *5 cents*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement continues substantially all of the legislative provisions relating to the Legal Services Corporation which were in effect during fiscal year 1990 as proposed by the Senate. These provisions include prohibitions on abortion litigation and representation of illegal aliens; restrictions on lobbying, class action suits and training programs; provisions governing the appointment of local program boards of directors; and provisions making it easier to deny refunding to grantees. The conference agreement also includes Senate provisions which were in effect in FY 1990 concerning the development of a system of competitive bidding grants; requirements for full-year funding of grants; a requirement that any timekeeping system be developed by regulation; and restrictions on implementation of LSC regulations.

The conference agreement also includes a funding formula for the distribution of funds to field programs which provides that grants shall be maintained at not less than $9.22 per poor person instead of $9.28 as proposed by the Senate or 5 cents per poor person more than the annual per-poor-person level at which funding was appropriated prior to the sequestration order under Public Law 101-239 instead of 6 cents for this purpose as proposed by the Senate. These changes in the formula reflect the reduction in the appropriation in the conference agreement.

The conference agreement also includes Senate language which modifies fiscal year 1990 provisions that permitted certain statutory restrictions on the Board's authority to be lifted by a Board of Directors nominated by the President and confirmed by the Senate. As proposed by the Senate, the conference agreement eliminates the portions which tie Board powers to Senate confirmation because of concerns over the constitutionality of these provisions.

The House bill contained no provisions on any of these matters.

Amendment No. 163: Deletes language proposed by the Senate which would have established the National Commission to Support Law Enforcement for the purpose of studying and recommending changes concerning law enforcement issues at the Federal, State and local level, including the sufficiency of funding and the adequacy of information sharing among law enforcement agencies.

The House bill contained no provision on this matter.

Amendment No. 164: Reported in disagreement.

Amendment No. 165: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 609. (a) None of the funds in this or any other Act may be used to approve the licensing for export of any supercomputer to any country whose government the President determines to be assisting Iraq to improve its ballistic missile technology or chemical, biological, or nuclear weapons capability and so reports to the Congress.

(b) None of the funds in this or any other Act may be used to approve the licensing for export of any supercomputer to any country whose nationals are assisting Iraq to improve its rocket technology or chemical, biological, or nuclear weapons capability: Provided, That this provision shall apply only if the President determines that the government of the country has made inadequate efforts to restrict such involvement by its citizens or corporations and so reports to the Congress.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement adds a general provision which prohibits any of the funds in this or any other Act from being used to approve export licenses for supercomputers to any country whose government the President determines to be assisting Iraq to improve its ballistic missile technology or chemical, biological or nuclear weapons capability and so reports to the Congress. The conference agreement also prohibits any of the funds in this or any other Act from being used to approve export licenses for supercom-

puters to any country whose nationals are assisting Iraq to improve its rocket technology or chemical, biological or nuclear weapons capability except that this provision shall apply only if the President determines that the government of the country has made inadequate efforts to restrict such involvement by its citizens or corporations and so reports to the Congress.

The Senate amendment would have prohibited any of the funds in this or any other Act from being used to approve export licenses for supercomputers or associated technology to any country which is assisting officially or unofficially or whose nationals are assisting Iraq to improve its rocket technology or chemical, biological or nuclear weapons capability. The Senate amendment would have also directed the Secretary of State to begin negotiations immediately with those governments, including the United Kingdom, Brazil and Japan, with whom the U.S. has bilateral supercomputer agreements, on conditions restricting the transfer of supercomputer or associated technology which would assist Iraq in developing the weapons capabilities listed above.

The House bill contained no provision on this matter.

Amendment No. 166: Deletes a provision proposed by the Senate which would have required the Secretary of Education to reduce a penalty owed by Dakota Wesleyan University in the amount of $159,360 plus interest of $16,113.

The House bill contained no provision on this matter.

Conference Total—With Comparisons

The total new budget (obligational) authority for the fiscal year 1991 recommended by the Committee of Conference, with comparisons to the fiscal year 1990 amount, the 1991 budget estimates, and the House and Senate bills for 1991 follow:

New budget (obligational) authority, fiscal year 1990	$19,857,650,000
Budget estimates of new (obligational) authority, fiscal year 1991	20,009,388,000
House bill, fiscal year 1991	10,590,916,000
Senate bill, fiscal year 1991	19,305,879,000
Conference agreement, fiscal year 1991	19,328,275,000

Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1990	−529,375,000
Budget estimates of new (obligational) authority, fiscal year 1991	−681,113,000
House bill, fiscal year 1991	+8,737,359,000
Senate bill, fiscal year 1991	+22,396,000

NEAL SMITH,
BILL ALEXANDER,
JOSEPH D. EARLY,
BERNARD J. DWYER,
BOB CARR,
ALAN MOLLOHAN,
JAMIE L. WHITTEN,
HAL ROGERS,
RALPH REGULA,
JIM KOLBE,
SILVIO O. CONTE,
Managers on the Part of the House.

ERNEST F. HOLLINGS,
DANIEL K. INOUYE,
DALE BUMPERS,
FRANK R. LAUTENBERG,
JIM SASSER,
BROCK ADAMS,
ROBERT C. BYRD,
WARREN B. RUDMAN,
TED STEVENS,
MARK O. HATFIELD,
ROBERT KASTEN,
PHIL GRAMM,
Managers on the Part of the Senate.

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